



Meeting: **Constitution Committee**

Date/Time: **Monday, 24 November 2025 at 10.00 am**

Location: **Gartree Committee Room, County Hall, Glenfield**

Contact: **Mrs J Twomey (Tel: 0116 305 2583)**

Email: **Joanne.twomey@leics.gov.uk**

Membership

Mr. D. Harrison CC (Chairman)

Mr. M. T. Mullaney CC Mrs D. Taylor CC

AGENDA

<u>Item</u>	<u>Report by</u>	
1. Minutes of the meeting held on 29 July 2025.		(Pages 3 - 4)
2. Question Time.		
3. Questions asked under Standing Order 7(3) and 7(5).		
4. To advise of any other items which the Chairman has decided to take as urgent.		
5. Declarations of interest.		
6. Annual Governance Statement	Chief Executive and Director of Corporate Resources	(Pages 5 - 34)
7. Annual Review of the Constitution.	Chief Executive	(Pages 35 - 74)
8. Any other items which the Chairman has decided to take as urgent.		

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Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Tuesday, 29 July 2025.

PRESENT

Mr D. Harrison CC (in the Chair)

Mr. M. T. Mullaney CC

Mrs D. Taylor CC

9. Minutes.

The minutes of the meeting held on 23 June 2025 were taken as read, confirmed and signed.

10. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

11. Questions asked under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

12. Urgent Items.

There were no urgent items for consideration.

13. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

14. Revision of the Constitution

The Committee considered a report of the Chief Executive, the purpose of which was to ask members to consider whether they wished to make changes to the terms of reference of the Council's Overview and Scrutiny bodies set out in Table A of Part 2 of the Council's Constitution, following a previous proposal being voted against by the full Council at its meeting on 2nd July. A copy of the report, marked Agenda Item 6, is filed with these minutes.

Members commented that to address the concerns raised at the Council meeting on 2nd July the proposed amendment set out in paragraph 5(b) of the report, to rename the Environment and Climate Change Overview and Scrutiny Committee (OSC) to the 'Environment, Flooding and Climate Change OSC' would be most appropriate, noting that

reference to both flooding and climate change would also be included within its terms of reference.

RESOLVED:

- (a) That the Environment and Climate Change Overview and Scrutiny Committee be renamed the 'Environment, Flooding and Climate Change Overview and Scrutiny Committee' and that the terms of reference for this Committee include the following:

“1. The executive functions of the County Council in respect of the Council’s Environment Agenda, including Climate Change, and Flooding Risk.”

- (b) That the County Council be recommended to approve the change set out in (a) above and those changes set out in Appendix A to the report and any consequential amendments being made to the Constitution arising from those changes.

12.00 - 12.07 pm
29 July 2025

CHAIRMAN



CONSTITUTION COMMITTEE – 24 NOVEMBER 2025

**JOINT REPORT OF THE DIRECTOR OF CORPORATE
RESOURCES AND THE CHIEF EXECUTIVE**

ANNUAL GOVERNANCE STATEMENT 2024-25

Purpose of the Report

1. The purpose of this report is to:
 - (a) Outline the background and approach taken to produce the County Council's 2024-25 Annual Governance Statement (AGS)
 - (b) Present the AGS for approval by the Constitution Committee (the Committee) prior to sign off by the Chief Executive and Leader of the Council.

Background

2. Regulation 6 of the Accounts and Audit Regulations 2015 states that each financial year a local authority must: -
 - (a) conduct a review of the effectiveness of its system of internal control and prepare an annual governance statement
 - (b) consider the findings of the review by a committee which should approve the annual governance statement
 - (c) ensure the annual governance statement, is: -
 - approved in advance of the authority approving the statement of accounts; and
 - prepared in accordance with proper practices in relation to accounts
3. 'Delivering Good Governance in Local Government: Framework' by the Chartered Institute of Public Finance & Accountancy (CIPFA) and the Society of Local Authority Chief Executives & Senior Managers (SOLACE) (2016) contains seven principles which set standards for local authority governance in the UK. The preparation and publication of an AGS in accordance with the Framework fulfils the statutory requirement.
4. The AGS is an important requirement which enhances public reporting of governance matters. In essence, it is an accountability statement from each local government body to stakeholders on how well it has delivered on governance over the course of the previous year.

5. For the financial year being reported, the AGS encompasses the governance systems applied in both the Council itself, and any significant commercial and collaborative arrangements e.g. ESPO, East Midlands Shared Services (EMSS) that the Council is involved in, to provide a fuller picture including assurances.
6. The Code of Practice on Local Authority Accounting in the UK 2024-25 states that the AGS should relate to the governance system as it applied to the financial year for the accounts that it accompanies. However, significant events or developments relating to the governance system that occur between the Balance Sheet date, (31 March) and the date on which the Statement of Accounts is signed by the responsible financial officer should also be reported if pertinent to the prior year.
7. A draft version of the AGS was considered by the Corporate Governance Committee at its meeting on 23 June 2025. However, within the County Council's Constitution (updated December 2024), at Part 3 - Responsibility for functions, under Section B: Responsibility for "County Council" functions, the Constitution Committee has a function to approve the County Council's final Annual Governance Statement. This is attached as Appendix A.
8. The final AGS will accompany the audited Statement of Accounts for 2024-25 which are scheduled to be approved by the Corporate Governance Committee at its meeting on 24 November 2025.

Approach

9. The Head of Internal Audit and Assurance Service assists management in preparing the AGS. The process followed as explained below, has not changed significantly from the previous year.
10. The review of the effectiveness of the County Council's system of internal control and overall corporate governance arrangements requires the sources of assurance, which the Council relies on, to be brought together and reviewed, from both a departmental and corporate view.
11. The CIPFA/SOLACE Framework (the Framework) requires local authorities to review arrangements against their Local Code of Corporate Governance. The Council's Local Code was last revised in April 2022 and is scheduled to be reviewed and updated in early 2026. Changes in legislation may also require the Code to be reviewed.
12. To ensure the AGS represents an accurate picture of the governance arrangements for the whole Council, each Director was required to complete a 'self-assessment' designed to provide details of the measures in place (systems, process, documents etc.) within their departments during the financial year 2024-25, to ensure conformance (or otherwise) to the Framework. The self-assessment also allowed for the recognition and recording of areas where developments are required.

13. The departmental self-assessments required a corresponding score to be given reflecting the department's positions regarding practice, standards and quality. This is a gauge of effectiveness. The application of a quantitative approach to assessing compliance against the seven principles contained in the Framework allows the Committee and public at large to obtain necessary assurance that the Council operates within an adequate internal control environment.
14. A Corporate Assurance Statement was also completed to gain an overall organisational perspective of processes in place. This statement also allowed for the recognition and recording of areas where developments were required.
15. The completed statements were analysed along with various other sources of evidence to determine whether there were any significant governance issues (see below) that should be reported in the AGS. Other sources include: -
 - a. Reports provided by internal and external audit and other assurance sources and the implications of these reports for the overall governance of the Council.
 - b. The Head of Internal Audit Service's annual opinion on the overall adequacy and effectiveness of the Authority's control environment (its framework of governance, risk management and internal control arrangements).
 - c. Evaluation of any negative media articles.

Outcome of the 2024-25 review of the Governance Framework

16. Sections 1 to 4 of the AGS provide background. Section 5 explains that the AGS has been considered by a Senior Officer Group comprising of:
 - Director of Law and Governance (the Council's Statutory Monitoring Officer)
 - Director of Corporate Resources (the Council's Statutory Chief Financial Officer)
 - Head of Democratic Services
 - Assistant Chief Executive
 - Assistant Directors – Finance, Transformation & Commissioning and Corporate Services
 - Head of Internal Audit and Assurance Service
17. Section 6 provides details of the forms of assurance considered. It introduces the control environment of the County Council before expanding into the wider commercial and collaborative bodies governance arrangements.

18. The County Council has defined 'Significant Governance Issues' (SGI) as those that:

- a. Seriously prejudice or prevent achievement of a principal objective of the authority;
- b. Have resulted in the need to seek additional funding to allow it to be resolved, or has resulted in the significant diversion of resources from another aspect of the business;
- c. Have led to a material impact on the accounts;
- d. The Corporate Governance Committee advises should be considered as a significant issue for reporting in the AGS;
- e. The Head of Internal Audit Service reports on as significant in the annual opinion on the internal control environment.
- f. Have attracted significant public interest or have seriously damaged the reputation of the organisation.
- g. Have resulted in formal action being undertaken by the Chief Financial Officer and/or the Monitoring Officer;
- h. The issue has resulted in a legal breach or prompts intervention from a regulator.

19. Section 7 provides an update on 'Action Taken on Governance Issues Previously Reported in the 2023-24 AGS'. Of the two previously reported: -

- (a) Environment & Transport Department – Update November 2025 – the Head of Internal Audit Services will review the implementation of actions and revised governance arrangements by the end of December.
- (b) Capital Programme – Update November 2025 - the Council is now focussed on improved risk management at a programme wide level taking account of the diverse and significant capital programme, made of various strands including, major schemes, asset management programmes, pipeline schemes, minor highways and transport works, flood risk schemes, safety schemes as well as schemes funded from developer income. As the programme expands and is more diverse following the award of Local Transport Grant, proactive risk management, clear roles and responsibilities and auditable decision making will be the priority using the lessons learned, tools and templates developed through the capital programme improvement project to date.

20. Section 8 provides details on four Significant Governance Issues Arising During 2024-25: -

- (a) Education, Health and Care Plans – Update November 2025 – A recovery plan has been put in place to bring timeliness of issuing EHCPs within the statutory deadline of 20 weeks. As a result of this recovery plan, timeliness has begun to improve cumulative performance between January and September, the average duration of plan completion is 24 weeks (down from 62.5 weeks in December 2024). Over the next 3 months, as a result of the recovery plan,

timeliness is expected to move to being compliant with the statutory deadline.

- (b) Procurement – Update November 2025 - The Council established a Corporate Procurement Board in January 2024 which must approve all exceptions. The Corporate Procurement Board remains in place, and the number of exceptions is continuing to reduce, with 17 being required in the first 6 months of 2025/26.
- (c) Care Quality Commission Assessment – Update November 2025 – a fully costed action plan is in place to address the areas of improvement highlighted from the Assessment and is included as growth as part of the 2026/27 budget process and MTFS refresh.
- (d) High Needs Block Deficit – Update November 2025 - further mitigations to reduce demand for EHCP's and the unit cost of providing them will be implemented. The issue cannot be fully resolved by the Council alone, and the governments delayed SEND White Paper will be fundamental to the long-term sustainability of SEND.

Whilst November updates have been provided, the four SGIs remain 'open' at the time of this report. They will be re-considered during the compilation of the draft 2025-26 AGS.

- 21. Section 9 contains what the Senior Officer Group determined as Future Challenges. These will be subject to scrutiny through existing reporting channels.
- 22. Section 10 explains that approval and ownership of the AGS has been reflected at corporate level, and the statement will be signed on behalf of the Council by the Chief Executive and Leader of the Council and published on the County Council's website. The overall opinion is that the Council is satisfied that appropriate governance arrangements are in place and continue to be regarded as fit for purpose.
- 23. The Annex provides an overview of accumulated responses to departmental and corporate self-assessments against the seven principles. Each accumulated response is 'good' meaning that conformance against most of the areas of the benchmark is good, although there may be minor developments required but with a limited impact on the ability to achieve departmental and Council objectives. Strategic, reputational and/or financial risks are minor, and performance is generally on track.

Recommendations

- 24. The Committee is requested to: -
 - a. Approve the 2024-25 AGS

- b. Approve that the Director of Corporate Resources be authorised to update the AGS as necessary to align with the finalised Statement of Accounts for the County Council and the Pension Fund (yet to be approved), noting that such changes will be reported to the Corporate Governance Committee and the Leader as appropriate.

Resource Implications

25. None.

Equality and Human Rights Implications

26. None.

Background Papers

Accounts and Audit Regulations 2015

CIPFA/SOLACE: Delivering Good Governance in Local Government: Framework (2016)

Report to Corporate Governance Committee 23 June 2025, 'Draft Annual Governance Statement 2024-25

<https://democracy.leics.gov.uk/documents/s190360/Draft%20Annual%20Governance%20Statement%202024-25%20-%20final.pdf>

<https://democracy.leics.gov.uk/documents/s190359/Draft%20Annual%20Governance%20Statement%202024-25%20-%20final%20003.pdf>

Leicestershire County Council Website - Draft Statement of Accounts, Annual Governance Statement and Pension Fund Accounts 2024/25

<https://www.leicestershire.gov.uk/sites/default/files/2025-06/2024-25-Draft-Statement-of-Accounts-Annual-Governance-Statement-and-Pension-Fund-Accounts.pdf>

Circulation Under the Local Issues Alert procedure

None

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List of Appendices

Appendix A - Annual Governance Statement 2024-25

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Annual Governance Statement (AGS) 2024-25

1. Introduction

Leicestershire County Council (the Council) is responsible for ensuring that its business is conducted in accordance with prevailing legislation, regulation and government guidance and that proper standards of stewardship, conduct, probity, and professional competence are set and adhered to by all those representing and working for and with the Council. This ensures that the services provided to the people of Leicestershire are properly administered and delivered economically, efficiently, and effectively. In discharging this responsibility, the Council must have in place a solid foundation of good governance and sound financial management.

Regulations 6 (1) (a) and (b) of the Accounts and Audit Regulations 2015 (the Regulations) require each English local authority to conduct a review, at least once a year, of the effectiveness of its system of internal control and approve an annual governance statement (AGS), prepared in accordance with proper practices in relation to internal control. The preparation and publication of an AGS, in accordance with the CIPFA/SOLACE 'Delivering Good Governance in Local Government: Framework' 2016 (the Framework), fulfils the statutory requirement of the Regulations. The AGS encompasses the governance system that applied in both the Authority and any significant group entities (e.g. ESPO, EMSS) during the financial year being reported.

The AGS 2024-25 will be published with the Statement of Accounts 2024-25.

2. What is Corporate Governance?

Corporate Governance is defined as how organisations ensure that they are doing the right things, in the right way, for the right people in a timely, inclusive, open, honest, and accountable manner. The Council's governance framework comprises the systems and processes, cultures, and values by which the Council is directed and controlled. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate services and value for money.

The Framework sets the standard for local authority governance in the UK, and the Council is committed to the principles of good corporate governance contained in the Framework. The seven principles (A-G) are listed in the Annex. Each principle scored 'Good' meaning conformance against most of the areas of the benchmark is good, although there may be minor developments required but with a limited impact on the ability to achieve departmental and Council objectives. Strategic, reputational, and/or financial risks are minor, and performance is generally on track.

The Council has developed, adopted, and continued to maintain a Local Code of Corporate Governance which sets out the way the Council meets the principles outlined in the Framework. [The Code can be found on the LCC internet.](#)

3. Leicestershire's Vision and Outcomes

The County Council's Annual Delivery Report and Performance Compendium 2024 is part of the Council's policy framework and, as such, required the approval of the full County Council at its meeting on 4 December 2024. The documents provide performance data which will help the Council and its partners to ensure services continue to meet standards, provide value for money and that outcomes are being achieved for local people. It is best practice in performance management, and part of the Council's Internal Governance Framework, to undertake a review of overall progress at the end of the year and to benchmark performance against comparable authorities. It is also good practice to produce an annual performance report and ensure that it is scrutinised, transparent, and made publicly available.

The Annual Delivery Report described delivery, progress with implementing agreed plans and strategies, and achievements over the previous 12 months. It largely focused on performance against County Council priorities for community outcomes as set out in its Strategic Plan 2022-26 and other main service strategies. The Report also included information on the financial sustainability and the emergent implications for service demand and outcomes. [The Performance Compendium](#) outlined the inequity in national funding and the Council's Fair Funding proposals, transformation requirements and national and local service pressures, as well as detailed comparative performance metrics.

The Strategic Plan (2022-26), approved by the County Council on 18 May 2022 was refreshed for 2024-26.

4. What the Annual Governance Statement Tells You

The AGS reports on the extent to which the Council has met the requirements of the Local Code of Corporate Governance and the controls it has in place to manage¹ risks of failure in delivering its outcomes. The main aim of the AGS is to provide the reader with confidence that the Council has an effective system of internal control that manages risks to a reasonable level.

The 2024-25 AGS has been constructed by undertaking: -

- A review of the effectiveness of the Council's system of internal control
- Reviewing other forms of assurance
- Action taken on significant governance issues reported in the 2023-24 AGS.
- A consideration of any significant governance issues arising during 2024-25.
- Future challenges
- Action to Develop Areas Further

5. Review of Effectiveness of the System of Internal Control

To ensure the 2024-25 AGS presents an accurate picture of governance arrangements for the whole Council, each Director was required to complete a 'self-assessment', which provided details of the measures in place within their department to ensure conformance (or otherwise) with the seven core principles of the Local Code of Corporate Governance. Responses were accumulated to provide a high-level overview found in the Annex.

A senior officers group met on 5 June 2025 to review the compilation of the AGS. The group comprises:

- Director of Law & Governance (the Council's Statutory Monitoring Officer)
- Director of Corporate Resources (the Council's Statutory Chief Financial Officer)
- Head of Democratic Services
- Assistant Chief Executive
- Assistant Director – Finance & Commissioning
- Assistant Director – Corporate Services
- Head of Internal Audit & Assurance Service

The group has previously determined that progressing areas identified for development, should be the responsibility of designated Directors and Heads of Service during 2025-26. A review of progressing the implementation of previous years planned developments will be undertaken. Any previous year's

developments that were not carried forward into 2024-25 or reported through the Corporate Risk Register process will continue to be monitored.

6. Forms of Assurance

The Framework provides examples of policies, systems, and processes that an authority should have in place. Using this guidance, the Council can provide assurance that it has effective governance arrangements. The Council has an approved Local Code of Corporate Governance, and this provides examples of good governance in practice.

The Control Environment of Leicestershire County Council

The Council's Constitution includes Finance and Contract Procedure Rules, and a general Scheme of Delegation to Chief Officers. These translate into key operational internal controls such as control of access to systems, offices, and assets; segregation of duties; reconciliation of records and accounts; decisions and transactions authorised by nominated officers; and production of suitable financial and operational management information. These controls demonstrate governance structures in place throughout the Council.

Internal Audit Service

The Council's Head of Internal Audit & Assurance Service (HoIAS) ensured that internal audit arrangements conformed to the requirements of the Public Sector Internal Audit Standards (the PSIAS) revised in 2017¹. The PSIAS require an external quality assessment (EQA) every 5 years. An EQA was undertaken in early Spring 2024 and the Assessor concluded that, *'The Leicestershire County Council internal audit service is delivering to a standard that generally conforms (the top rating) with the Public Sector Internal Audit Standards'*. Progress on implementing improvement actions was reported to the Corporate Governance Committee 6 December 2024. The HoIAS also conformed to the governance requirements and core responsibilities of the CIPFA Statement on the Role of the Head of Internal Audit in Public Service Organisations (2019)².

The HoIAS works with the Corporate Management Team to give advice and promote good governance throughout the organisation. The HoIAS leads and directs the Internal Audit Service (IAS) so that it makes a full contribution to and meets the needs of the Authority and external stakeholders, escalating any concerns and giving assurance on the Council's control environment.

There is an Internal Audit Charter (last revised January 2024) mandating the purpose, authority, and responsibility of the internal audit activity. The Charter allows the HoIAS to also be responsible for the administration and development of, and reporting on, the Council's risk management framework. Whilst this does present a potential impairment to independence and objectivity, the HoIAS arranges for any risk management reviews to be overseen by someone outside of the internal audit activity. An independent risk management maturity health check was last undertaken during the autumn of 2018. The next review is planned in the autumn of 2025.

To meet a PSIAS requirement to form an opinion on the overall adequacy and effectiveness of the Council's control environment i.e. its framework of governance, risk management and control, the HoIAS arranges a risk-based plan of audits.

Internal Audit reports often contain recommendations for improvements. The number, type and importance of recommendations determines how the auditor reaches an opinion on the level of assurance that can be given that controls are both suitably designed and are being consistently applied, and that material risks will likely not arise. The combined assessment of individual audit opinions and other assurances gained throughout the year (e.g. involvement in governance groups, attendance at Committees, evaluations of other external assurance provided), facilitate the HoIAS in forming the annual internal audit opinion on the overall adequacy and effectiveness of the Council's control environment.

¹ From 1 April 2025, the PSIAS were replaced by the Global Internal Audit Standards (GIAS) in the UK Public Sector. There is still a requirement to have an EQA every 5 years.

² From 1 April 2025, 'organisational responsibilities' listed in the CIPFA Statement, were replaced by a Code of Practice for the Governance of Internal Audit in UK Local Government.

The HoIAS presented his annual report to Corporate Governance Committee on 23 June 2025, and his opinion read: -

Rationale - The HoIAS considers there was sufficient input by LCCIAS across the control environment to be able to give a full opinion. Assurance continued to be supplemented by good relationships with senior management, transparency over reporting significant governance issues in the draft Annual Governance Statement and providing detailed updates to risk positions in the Corporate Risk Register. Currently, six audits either contain high importance (HI) recommendations or a partial assurance rating and were reported in summary to Committee during the year. Because some audits have not been fully closed there could yet be a few more, lower graded ratings but this will not affect the overall opinion. There was also an increase in the number of reactive investigations which LCCIAS either supported/advised on or led. Whilst these could indicate a weakening control environment, management has continued to accept and respond positively and strongly to LCCIAS recommendations. Nottingham City Internal Audit completed three of its four planned audits of EMSS main financial systems and gave an overall positive opinion.

Opinion - Reasonable assurance is given that the Council's control environment has remained overall adequate and effective during 2024-25.

Risk Management

The Corporate Governance Committee has a responsibility to ensure that an effective risk management system is in place. Risk management is about identifying and managing risks effectively, helping to improve performance and aid decision making relating to the development of services and the transformation of the wider organisation. Regular reports and presentations on specific strategic and corporate risks to the Council are provided to the Corporate Governance Committee.

The Council's Risk Management Policy and Strategy (which provide the framework within which risks can be managed) were reviewed, revised, and approved by the County Council in February 2025. An independent review of the framework is to be scheduled with the Council's new insurers.

Overview and Scrutiny

The cross-party overview and scrutiny function monitors the County Council's financial performance and performance against targets in the Strategic Plan and other related plans on a regular basis. This work is carried out by the Scrutiny Commission and five Overview and Scrutiny Committees which each has responsibility for scrutiny of a particular service area of the Council.

The challenge provided by the overview and scrutiny function has continued to be crucial in shaping Council policy and helping to ensure the delivery of efficient, high-quality services. An annual report which summarised the work undertaken during 2024-25 was presented to the County Council on 2 July 2025

Corporate Governance Committee

The Corporate Governance Committee is responsible for promoting and maintaining high standards of corporate governance within the Council and receives reports and presentations that deal with issues that are paramount to good governance. Terms of reference for the Committee were revised in December 2024 and have been categorised to more clearly set out the varied roles and functions of the Committee.

With regard to the promotion and maintenance of high standards of conduct by members and co-opted members within the County Council, the decisions and minutes of the Member Conduct Panel which meets as required are available on the internet.

The Monitoring Officer submits an annual report to the Corporate Governance Committee on the operation of the Members' Code of Conduct and arrangements for dealing with complaints.

Since July 2023 there have been four complaints received by the Monitoring Officer under the Members' Code of Conduct. These complaints were resolved as set out below:

- 1 complaint withdrawn / not progressed by complainant;
- 3 complaints resolved informally.

An increase in complaints since the 2024/25 reporting period is identified in the Auditor's Annual Report for 2024-25 and will be addressed as set out in the section on 'Future challenges' below.

During 2024-25 the Committee has provided assurance that: an adequate risk management framework is in place; the Council's performance is properly monitored; internal and external audit is effective and that there is proper oversight of the financial reporting processes.

An annual report which summarises the key business considered by the Committee during 2024-25 was presented at the meeting on 23 June 2025 and presented to County Council on 2 July 2025.

In accordance with CIPFA best practice guidance and following the approval of the County Council in July 2023, two Independent Members are appointed to the Committee. Independent Members are non-elected representatives and as such do not have voting rights but are part of the Committee in an advisory and consultative capacity. Of the 5 committees held in 2024-25 there was only 1 meeting where at least one of the Independent Members did not attend.

In January 2024, the Committee undertook a self-assessment of good practice against the revised CIPFA Guidance on Audit Committees. The self-assessment provided a high-level review that incorporated the key principles set out in CIPFA's Position Statement: Audit Committees in Local Authorities and Police 2022. The results showed a high degree of performance against the good practice principles and is an indicator that the Committee is soundly based and has in place a knowledgeable membership. These are essential factors in developing an effective audit committee. The results of the self-assessment along with a self-evaluation of knowledge and skills, were shared with the new committee prior to its first meeting on 23 June 2025. The outcomes will be used to support the planning of the Committee's work plan and training plans during 2025-26.

The Chief Financial Officer (CFO)

The Director of Corporate Resources undertakes the statutory role of the Chief Financial Officer (CFO) for the Council. The CFO conforms to the governance requirements and core responsibilities of two CIPFA Statements on the Role of the Chief Financial Officer; in Local Government (2016) and in the Local Government Pension Scheme (2014). The CFO is a key member of the Corporate Management Team and is able to bring influence to bear on all material business decisions, ensuring that immediate and long-term implications, opportunities, and risks, are fully considered and in alignment with the MTFs and other corporate strategies. The CFO is aware of, and committed to, the five key principles that underpin the role of the CFO.

The Financial Management Code

The CIPFA Financial Management Code translates the principles of good financial management into seven Financial Management Standards. These standards address the aspects of an authority's operations and activities that must function effectively if financial management is to be undertaken robustly and financial sustainability is to be achieved.

The Code does not specify the frequency, or the financial year compliance should be reported. The previous (January 2024) updated self-assessment retrospectively gave assurance on compliance at the end of the financial year 2022-23. However, other authorities report at the start of each financial year based on the latest MTFs and the position at the time. The Council has taken the latter approach for the latest assessment. This allows reporting of the Council's most up to date position and of any improvements, where needed. The Internal Audit Service undertook a high-level review of the 2025-26 self-assessment against the Code (as of 1 May 2025), and a copy of the assessment was reported to the Corporate Governance Committee in June 2025. Progress against areas for improvement is monitored by the Assistant Director (Finance, Strategic Property & Commissioning)

Local (External) Audit

The Council's local (external) auditors, Grant Thornton LLP, presented the final findings from their planned audit work 2023 -24 to 'those charged with governance' at the Corporate Governance Committee on 6 December 2024.

The Auditor's Annual Report (AAR)

The Auditor's Annual Report (AAR) is a detailed review of the value for money (VfM) arrangements at the Council. The report covered four areas. These were financial sustainability; governance; improving economy, efficiency, and effectiveness and the opinion on the financial statements. Overall, the auditor's report was positive. The external auditor concluded that the Council has a good track record of sound financial management, had strong arrangements in place to manage the financial resilience risks, has a clear and documented governance framework in place that ensures all relevant information is provided and challenged before all major decisions are made. No significant weaknesses were reported. Eight improvement recommendations were made. An action plan tracker has been devised and is being monitored. Some

recommendations have been implemented.

Opinion on the Financial Statements

The auditor gave an 'unqualified' opinion on the 2023-24 financial statements for the County Council and its Pension Fund on 24 January 2025 meaning that the external auditor is satisfied that the financial statements present a true and fair view.

Annual Audit Plan for the 2024-25 Accounts

The External Audit Plan and Informing the Audit Risk Assessment was reported to Corporate Governance Committee at its meeting on 31 March 2025.

The Monitoring Officer

The Director of Law & Governance undertakes the statutory role of Monitoring Officer (MO) for the Council. The MO has responsibility for:

- ensuring that decisions taken comply with all necessary statutory requirements and are lawful. Where in the opinion of the MO any decision or proposal is likely to be unlawful and lead to maladministration, he/she shall advise the Council and/or Executive accordingly,
- ensuring that decisions taken are in accordance with the Council's budget and its Policy Framework,
- providing advice on the scope of powers and authority to take decisions.

In discharging this role, the MO is supported by the Deputy Monitoring Officer and officers within the Legal and Democratic Services Teams.

Senior Information Risk Owner

The position of a SIRO is a requirement under the Data Security and Protection Toolkit, the Assistant Director People, Property and Transformation holds the position of the SIRO for the Council. The SIRO takes overall ownership of the Council's approach to handling information risk. The responsibilities of a SIRO include:

- owning the Council's policies, procedures, and processes around information risk, ensuring they are implemented consistently across the Council;
- ensuring compliance with all other policies and procedures relating to information and data;
- managing any escalated risks that have been raised by information owners, Information Governance Team, Audit etc;
- acting as a champion on information risk and report to CMT on the effectiveness of risk management;
- leading and fostering a culture that values, protects and uses information for the success of the Council and benefit of our citizens;
- ensuring that the Council has a plan to monitor and improve information and data governance;
- maintaining expertise in Data Protection and other legislation that impact on Information and Data Governance; and
- owning the Council's information incident management framework.

Commercial and Collaborative Bodies Governance Arrangements

Commercial

ESPO is constituted as a joint committee (of six local authorities) set up to provide a comprehensive professional purchasing service to public sector bodies. It is overseen by a Management Committee which has overall strategic responsibility for ESPO. At its meeting on 22 March 2023, the Committee approved changes to the Finance and Audit Subcommittee (the Subcommittee) Terms of Reference, and the Risk Management Policy which provided delegated powers over Internal Audit, External Audit, Risk Management, and the Annual Governance Statement. Internal audit is undertaken by the Council's Internal Audit & Assurance Service as part of the servicing agreement. Like the County Council, the HoIAS presents an annual report to the Subcommittee at its meeting in October. The HoIAS opinion for 2024-25 was, 'No significant governance, risk management or internal control failings have come to the HoIAS' attention

therefore substantial assurance is given that ESPO's control environment overall has remained adequate and effective'.

ESPO Trading Ltd ESPO's power to trade is restricted to a limited number of public bodies. The establishment of a trading company allows ESPO (Trading) to trade with other organisations – e.g. Care Homes, Nurseries, Housing Associations, Charities and Voluntary Organisations. The Trading is governed under the Companies Act 2006, its Articles of Association and Shareholder Agreement.

Eduzone is a private limited company that supplies Early Years educational products and Early Years furniture to schools, nurseries, and child minders. ESPO acquired the company following the necessary due diligence in 2018. The incorporation of Eduzone into ESPO Trading Limited is in progress.

The **Investing in Leicestershire Programme (IILP)** guides the Council's investments in assets not directly used for the delivery of its services, but which contribute to the outcomes of the Council's Strategic Plan and provide a financial return. The Strategy requires reporting to various member bodies. Reporting on the financial performance is included in the budget monitoring reports on a quarterly basis. The IILP Annual Performance Report for 2023-24 was received by the Scrutiny Commission on 6 November 2024 and received by Cabinet on 22 November 2024. The IILP Strategy was received by the Scrutiny Commission and Cabinet alongside the MTFS. In light of the CIPFA Prudential Code, the County Council will continue to ensure that it will only undertake investments where they are directly and primarily related to the functions of the authority and where any financial returns are either related to the financial viability of the project in question or otherwise incidental to the primary purpose. This includes service delivery, housing, and regeneration of areas, which addresses areas of economic or social market failure and should only be made within the Council's area of economic influence. Some investments are made through the Council's Treasury Management strategy to ensure that the holdings are sufficiently diversified and not overly concentrated on property in Leicestershire.

The Council also has a traded service **Leicestershire Traded Services (LTS)**, which sits within the Corporate Resources Department. The quarterly financial and performance reports include the performance of the LTS as part of the Corporate Resources Department and these reports are considered by various member bodies. The Annual Report on the performance of Leicestershire Traded Services during 2023-24 was received by the Scrutiny Commission on 4 September 2024. As required further private briefings have been provided to the commission to ensure that they fully understand the key issues facing LTS. In 2024-25 the Commission requested a workshop, which took place in November 2024, to more closely consider School Food and Beaumanor Hall. The Commission received an exempt report at the March meeting to provide a further update on LTS.

Collaborative

East Midlands Shared Service (EMSS)

EMSS is constituted under Joint Committee arrangements to process payroll/HR and accounts payable and accounts receivable transactions for Leicestershire County Council and Nottingham City Council. The internal audit of EMSS is undertaken by Nottingham City Council (NCCIA).

After some delays, the Interim Head of Internal Audit (HoIA) at NCCIA presented their 2023-24 annual report and opinion on EMSS to the Corporate Governance Committee on 16 September 2024. It concluded that a "moderate" level of assurance can be given regarding the operating effectiveness of the internal control systems reviewed at EMSS, and that no significant issues have come to light through the audit procedures performed.

Resourcing of NCCIA is a major concern with delays in completing the 2023/24 audit and initially reduced capacity to resource the 2024/25 plan. The Chair of Corporate Governance Committee wrote to the Chair of Nottingham City Council Audit Committee raising these concerns and asked them to raise the issues with officers and take any mitigating action required to ensure an adequate Internal Audit service is provided for EMSS that both complies with regulations and provides adequate assurance. The outcome was that NCCIA resources were re-prioritised and three of the four scheduled 2024/25 audits were completed by the middle of February 2025. The fourth was cancelled (with approval from the Head of EMSS) because NCCIA considered that sufficient work had been covered in its external audit and there was a risk of duplication.

For the Head of Internal Audit Opinion – 2024/25, the Interim HoIA at NCC concluded that a "moderate" level of assurance can be given that internal control systems are operating effectively within EMSS and that no significant issues had been discovered.

The situation with the provision of internal audit will continue to be closely monitored.

Additionally, the position with Nottingham City Council issuing a s114 notice and the appointment of Government Commissioners continues to be monitored.

Local Pension Fund

Leicestershire County Council is a scheme manager as defined under the Public Service Pensions Act 2013 (and any associated legislation). The County Council has delegated the responsibility for decisions relating to the investment of the Fund's assets to the Local Pension Committee. Membership consists of Councillors from the County, City and District Council together with one university representative and non-voting employee representatives.

The Local Pension Committee's (the Committee's) principle aim is to consider pensions matters with a view to safeguarding the interests of all Fund members. The Members who sit on the Committee act on behalf of the beneficiaries of the LGPS and in this way have a similar role to trustees in primarily protecting the benefits of the LGPS members, overseeing the direction of investments and monitoring liabilities.

During the past year, the team has been preparing for the triennial valuation of Fund. A number of updates have been provided to the Local Pension Committee and Local Pension Board. The valuation of the Fund as of 31 March 2025 will be completed during 2025 with outcomes and recommendations presented to the Local Pension Committee and new employer contribution rates effective from the 1 April 2026.

The Committee considered and revised its Terms of Reference at its meeting in March 2024.

The Local Government Pension Scheme (LGPS) Regulations require that Leicestershire County Council in its capacity as Administering Authority establishes a Local Pension Board (the Board). The purpose of the Board is to assist the Authority in securing compliance with the Regulations, other legislation relating to the governance and administration of the LGPS, the requirements imposed by the Pension Regulator in relation to the LGPS and to ensure the effective and efficient governance and administration of the LGPS.

The Board comprises of employer representatives who are all elected members from the County Council and Leicester City Council and employee representatives. The Administering Authority retains ultimate responsibility for the administration and governance of the Scheme.

The Board considered and revised its Terms of Reference at its meeting in February 2025.

There is a Pension Fund Training Policy which demonstrates to stakeholders the Committee's, the Board's, and Officers' recognition of the importance of knowledge and understanding of pension issues in the effective management of the Fund. Following consideration by the Board this was reviewed and approved by Committee in June 2025.

To identify whether the objectives of the Policy are being met, Fund officers maintain a training log to record training attended by members and officers, as well as requiring members to undertake an annual training needs assessment. Reporting against the policy is presented to the Committee and Board as part of the Fund Annual Report and Accounts and Training Needs Assessment update.

Local Government Pension Scheme (LGPS) - Central Pool

LGPS Central Limited (Central) is authorised and regulated by the Financial Conduct Authority as an asset manager and operator of alternative investment funds that became operational on 1 April 2018.

The Council is joint owner of Central, which manages the pooled assets of eight Midlands-based LGPS, including Leicestershire, with collective assets of approximately £64billion, on behalf of over one million LGPS members and over 3000 participating employers. The Company aims to use the combined buying power of its Partner Funds to reduce costs, improve investment returns and widen the range of available asset classes for investment for the benefit of local government pensioners, employees, and employers.

A range of collaborative governance vehicles has been established reflecting the administering authority's role as stakeholder from two different perspectives. These are as a co-owner of the company, and as a recipient of investment services. These interests are managed through the Shareholders' Forum and Joint Committee. The Shareholders' Forum oversees the operation and performance of Central, representing the ownership rights and

interests of the shareholding councils, ahead of general meetings. In March 2024 shareholders unanimously approved the Company's strategic business plan and budget alongside other resolutions.

The Joint Committee focuses on investor issues and is made up of member representatives of each of the funds. This provides assistance, guidance, and recommendations to the individual councils, taking into consideration the conflicting demands and interests of the participants within the pool. The Joint Committee does not have delegated authority to make binding decisions on behalf of the participating councils.

In June 2024, a new Chief Executive Officer was appointed to Central.

In November 2024 central government consulted on 'Fit for the Future' proposals relating to the investments of the LGPS covering asset pooling, UK and local investment and governance.

The Government published the outcome of this consultation on 29 May 2025 with the main items broadly in line with its original proposals. A number of key measures are listed below:

- Deadline for implementation of pooling of all LGPS assets by 31 March 2026, though flexibility is acknowledged for certain LGPS funds what are moving Pooling Companies (The Leicestershire County Council Pension Fund is not moving Pooling Companies).
- Implementation further defined to include transfer of management and oversight of all assets (public and private investments) to their respective pools.
- The Funds will be required to take principal investment advice from their pool, although they can still seek secondary advice.
- Funds remain responsible for setting the Strategic Asset Allocation (SAA) based around nine named asset classes.
- Funds will be required to set local investment targets and include details within their investment strategy statements with collaboration with local authorities, regional mayors, and strategic bodies.
- Introduction of an independent Pool governance review every three years.
- A Pension Bill will be introduced with secondary legislation to follow.

Central submitted its plan to central government outlining how it would meet the requirements on the future of the LGPS and received ministerial backing for these plans in late April 2025. Central developed their plan with input from partner funds and extensive engagement with stakeholders.

The Fund will continue to closely engage with Central and partner funds with the implementation of the 'Fit for Future' proposals over 2025-26 and beyond to continue to safeguard the interests of all Fund members.

Pensions internal audit arrangements

An annual update on Internal Audit arrangements was presented to the Council's Local Pension Board in June 2025. This included a summary of work completed during 2024/2025 and work planned for 2025/2026. The internal audit functions of the eight LGPS owners have formed an Internal Audit Working Group (IAWG). The first four-year programme of audit work has now been completed, and the plan has been refreshed for a further four years which covers 2023/24 to 2027/28. The 2024/25 audits were assigned to Leicestershire County Council (Governance), and colleagues at Shropshire Council (Investments).

Active Together

The Director of Public Health represents the Council and is an advisor to the Active Together Board of non-executive directors. There are defined terms of reference which set out the governance arrangements and key tasks of the Board. Underneath the Board is a number of subgroups (drawn from the Board and co-opted others) to provide additional scrutiny of areas of the business.

One of those sub-groups in the 'Business, Oversight and Audit' Committee which oversees business planning, financial and risk reporting, and reports to the Board quarterly. The Assistant Director - Delivery in Public Health is a member of this committee.

Leicester and Leicestershire Business & Skills Partnership

The County Council jointly with Leicester City Council is responsible for business representation, strategic economic planning, and the delivery of government growth, jobs and skills, and innovation programmes. This duty was transferred to upper tier local authorities (UTLAs) following the cessation of Local Enterprise Partnerships. The expectation is that UTLAs work together across our functional economic area. These

arrangements include a Business Board chaired by a private sector business representative, which provides advice to the leaders of the two UTLAs, namely the Leicester City Mayor and the Leader of the County Council, to inform their decisions regarding economic development strategy and investment. The two leaders meet regularly with the Business Board's Chair and attend Business Board meetings. The decision-makers and Business Board are supported by an executive team hosted by the City Council on behalf of the two UTLAs. Transition arrangements were put in place from 1 April 2024 with the former LEP Team continuing to deliver activities whilst the new governance, business representation and staffing arrangements were established. It was considered appropriate that Leicester & Leicestershire Enterprise Partnership (LLEP) Ltd. be retained as a legal entity with a Board comprising City and County senior officers, and for the City Council to formally remain as the Accountable Body. This is to enable existing agreements to which LLEP Ltd is a party to be updated, namely Enterprise Zone business rates agreements. Establishing a new Board required existing LLEP Directors to resign their positions. The two UTLAs have each appointed a senior officer to the Board to replace the former directors and enable legal obligations to be met.

Integrated Care Systems (ICS) & Integrated Care Partnership (ICP)

ICs are partnerships that bring together NHS organisations, and upper tier local authorities across NHS footprint of Leicester, Leicestershire, and Rutland (LLR).

The ICP is a statutory committee jointly formed between the Integrated Care Board (ICB) and all upper-tier local authorities that fall within the ICS area. LCC membership includes the Lead member for Health and Wellbeing, the Director of Public Health, the Director of Adult Social Services and the Director of Children and Family Services.

The ICP is responsible for producing an integrated care strategy on how to meet the health and wellbeing needs of the population in the ICS area. The first Leicester, Leicestershire and Rutland (LLR) Integrated Care Strategy was published in draft in April 2023. It was designed to guide care and health organisations, staff, and the voluntary sector to key areas of focus where, collectively, a difference can be made to improve people's health and wellbeing over the coming years.

The ICB is also a statutory body and is a successor to the 3 Clinical Commissioning Groups (CCGs). The Director of Public Health represents LCC on the ICB, though in an ex officio capacity not as a representative of the Council as a decision-making body, in accordance with NHS requirements. A draft Integrated Care Board 5-Year Joint Forward Plan was presented to the Council's Health & Wellbeing Board on 25 May 2023. The Board agreed that the 5 Year Joint Forward Plan took account of the Leicestershire Health and Wellbeing Strategy.

Leicestershire Health and Wellbeing Board

Health and Wellbeing Board acts as a forum in which key leaders from the local health and care system work together to improve the health and wellbeing of the local population and plan how to tackle inequalities in health. This is best achieved by a range of organisations working together and as a result, the Leicestershire Health and Wellbeing Board brings together key organisations: the ICB, District Representatives, NHS England, University Hospitals of Leicester NHS Trust, Leicestershire Partnership NHS Trust, Leicestershire Police, Office of the Police and Crime Commissioner and Healthwatch to ensure patients and service users voices are heard. As part of a review of the Board's governance arrangements at its meeting on 31 October 2023, Voluntary Action Leicester Shire became a member of the Health and Wellbeing Board to provide some context to issues raised from a voluntary and community sector perspective. The Health and Wellbeing Board is chaired by the Council's cabinet lead for Health and the other Council representatives are:

- Lead Members for Adult Social Care & Children & Young People
- The Chief Executive
- The Directors of Public Health, Adults & Communities and Children & Family Services

The Health and Wellbeing Board leads and directs work to improve the health and wellbeing of the population of Leicestershire through the development of improved and integrated health and social care services by: -

- Identifying needs and priorities across Leicestershire (the Place), and publishing and refreshing the Leicestershire Joint Strategic Needs Assessment (JSNA) and Pharmaceutical Needs Assessment so that future commissioning/policy decisions and priorities are based on evidence.

- Preparing and publishing a Joint Health and Wellbeing Strategy and Plan on behalf of the County Council and its partner clinical commissioning group(s) so that work is done across the Place to meet the needs identified in the JSNA in a co-ordinated, planned, and measurable way.
- In conjunction with all partners, communicating and engaging with local people in how they can achieve the best possible quality of life and be supported to exercise choice and control over their personal health and wellbeing.
- Approving the Better Care Fund (BCF) Plan including a pooled budget used to transform local services, so people are provided with better integrated care and support together with proposals for its implementation.
- Having oversight of the use of relevant public sector resources to identify opportunities for the further integration of health and social care services within the Place.

The BCF is reported quarterly regionally and nationally via NHS England (NHSE) and the Local Government Association (LGA) via a nationally prescribed template which is approved quarterly by the Board, a process supported operationally by the Integration Executive. The annual BCF plan is also submitted via NHSE/LGA regionally and nationally and is subject to a prescribed national assurance process against a number of national conditions, metrics, and financial rules.

The 2023–25 BCF Policy Framework was published in April 2023.

The completed year end BCF 2024-25 template, which demonstrates progress against integration priorities and BCF delivery, reported to the Health and Wellbeing Board at its meeting on 29 May 2025, where the Board was asked to approve it for the NHS England submission deadline of 6 June 2025. The work of the Health and Wellbeing Board is reported in an annual report and is also reported in the annual reports of Clinical Commissioning Groups (CCGs).

East Midlands Freeport

The East Midlands Freeport (EMF) is the UK's only inland Freeport and features three main 'tax sites' straddling three East Midlands counties. The EMF brings together a mix of industries, businesses, and other collaborating partners, combining public and private sector expertise. The County Council (which is the accountable body) has participated in a governance assurance reviews with MHCLG officials, with satisfactory outcomes.

The Council has acted as the accountable body for EMF since its establishment in 2021, but the Government has now asked for that responsibility to be transferred to the 'East Midlands Combined County Authority' if possible by February 2026. Discussions with the Combined Authority and EMF to enable that are ongoing.

East Midlands Development Company (DevCo)

The County Council was one of five East Midlands local authority owners of EM DevCo Ltd. The company worked with partners from business, academia, and government to develop the local economy and create new jobs.

East Midlands Development Corporation closed during 2024/25, and the functions were transferred to East Midlands Combined County Combined Authority (EMCCA). Leicestershire County Council is not part of the EMCCA.

Enhanced Bus Partnership

This is a partnership between the County Council and the bus operators and is enabled by the 2017 Bus Services Act and Transport Act 2000, so has a legal status, but is not mandatory. Local authorities which wanted to be able to access Bus Service Improvement Plan (BSIP) funding had to establish a partnership and therefore every top tier authority has one.

An Enhanced Partnership Board is the key oversight body of the Enhanced Partnership and BSIP delivery. Membership consists of 2 large, 2 medium and 2 small bus operator representatives (voting), 2 County Council representatives (voting, with decision veto powers), 2 district/borough council representatives (non-voting) and an independent chair (non-voting).

7. Significant Governance Issues & Action Taken on Those Previously Reported

The Council has defined a 'significant governance issue' as one that is intended to reflect something that has happened in the year, or which is currently being experienced and meeting any of the following criteria:

- A. The issue has seriously prejudiced or prevented achievement of a principal objective of the authority;
- B. The issue has resulted in a need to seek additional funding to allow it to be resolved or has resulted in significant diversion of resources from another aspect of the business;
- C. The issue has led to a material impact on the accounts;
- D. Corporate Governance Committee has advised that the issue should be considered as a 'significant' issue for reporting in the AGS;
- E. The Head of Internal Audit Service has reported on the issue as significant, for reporting in the Annual Governance Statement, in the annual opinion on the internal control environment;
- F. The issue, or its impact, has attracted significant public interest or has seriously damaged the reputation of the organisation;
- G. The issue has resulted in formal action being taken by the Chief Financial Officer and/or Monitoring Officer;
- H. The issue has resulted in a Legal breach;
- I. The issue prompts intervention from a regulator.

Progress that has been made in dealing with the governance issues that were identified in the 2022-23 final AGS are detailed below:

Issue Area for Improvement (AGS) 2023-24	Lead Officer and Date	Progress during 2024-25
Environment & Transport Department During 2023-24, there were a number of investigations undertaken into working arrangements within the Highway & Transport Branch. Recommendations from the investigations were accepted by management and they have been transferred into a consolidated action plan. The Assisted Transport Improvement Board has been established, chaired by the Director and the Board's membership contains senior management representatives (E&T, HR, Commercial Services, Transformation, Legal, Internal Audit and Finance). The Board provides the necessary oversight of changes requiring rapid implementation and will align to (but not be responsible for) the management of complex, longer term improvement projects and initiatives. This work will continue be overseen by the Assisted Transport programme Delivery Board.	Director of Environment & Transportation December 2024 Update January 2025 – the Department reported good progress against implementing actions. Update November 2025 The HoIAS will review the implementation of actions and revised governance arrangements by the end of December.	The investigations did not identify any fraud issues and there was evidence of improvements to processes. The Internal Audit Service review of the implementation of actions and the revised governance arrangements (originally scheduled for the end of January 2025) will now be undertaken by the end of June.

Capital Programme The Council has a number of large, complex capital projects in progress which have significant potential risks, such as financial and procurement risks. Inflationary pressures also continue to have an impact on large capital projects. The Council's risk management approach to major capital schemes will be reviewed to ensure risks are appropriately managed from project inception and that appropriate risk contingencies are maintained.	Director of Corporate Resources October 2024 Update January 2025 - Lessons learned from large capital schemes is being used to inform the way future tenders are completed. There are continual actions underway to monitor and improve the risk. Update November 2025 Building on this work the Council is now focussed on improved risk management at a programme wide level taking account of the diverse and significant capital programme, made of various strands including, major schemes, asset management programmes, pipeline schemes, minor highways and transport works, flood risk schemes, safety schemes as well as schemes funded from developer income. As the programme expands and is more diverse following the award of Local Transport Grant, proactive risk management, clear roles and responsibilities and auditable decision making will be the priority using the lessons learned, tools and templates developed through the capital programme improvement project to date.	The Council's risk management approach to major capital schemes has been reviewed to ensure risks are appropriately managed from project inception and that appropriate risk contingencies are maintained. Lessons learned from previous large capital schemes have been undertaken and are being used to inform the way future tenders are completed to minimise and manage future risks. A Capital Programme Improvement Project has established improved governance arrangements and reporting oversight around our large-scale capital schemes. This includes monitoring costs against scheduled key milestones and implementation of defined decision points at which future financial implications are assessed. Liabilities are included within contingencies that are routinely tracked and monitored against plan including the implementation of a risk-based approach for all major capital programmes. A Procurement Strategy / Contract Award template and process has been introduced to standardise the approach to procurement of major schemes, providing clarity on the key risks and commercials, whilst allowing for appropriate challenge and review at key procurement related gateways.
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8. Significant Governance Issues Arising During 2024-25

This Annual Governance Statement (AGS) identifies that the Council has effective arrangements in place, but that its officers recognise the need to continuously review, adapt and develop governance arrangements to meet the changing needs of the organisation. Whilst the Council has identified areas to be developed (see Annex), it is important to recognise that there are four significant matters set out in the table below.

Significant Governance Issue 2024-25	Lead Officer and Date
Education, Health, and Care Plans Identified in the Auditor's Annual Report (AAR) 2023-24 as an Area for Improvement under improving economy, efficiency, and effectiveness – Completion of new Education, Health, and Care Plans (EHCPs) during 22/23 down to 3.8% although noted that improved processes in place and starting to show an increase. The number of requests for EHCPs has continued to rise over the last 5 years, with a 25% increase in requests between January and September 2025. The total	Director of Children & Family Services Ongoing

number of active EHCPs has also increased significantly, with a 13% increase during 2024 and an additional 15% increase in active EHCPs between January and September 2025 to 8,310. As a result of this the timeliness of EHCP had fallen well short of the 20-week expected timescale for completion. However, over the last year a recovery plan has been put in place to bring timeliness back in line with the 20-week timeframe. As a result of this recovery plan, timeliness has begun to improve and at the end of September 2025 it had reached 14% being issued within the 20-week timeframe cumulative performance between January and September, and average duration of plan completion is 24 weeks (down from 62.5 weeks in December 2024). Over the next 3 months, as a result of the recovery plan, timeliness is expected to move to being compliant with the statutory deadline.

Procurement

Identified in the Auditor's Annual Report (AAR) 2023-24 as an Area for Improvement under improving economy, efficiency, and effectiveness - Work needs to continue to reduce the number of contract exceptions and extensions that are approved.

The Council established a Corporate Procurement Board in January 2024 which must approve all exceptions. Contract extensions also need to be approved by Corporate Procurement Board in specific circumstances. The Council has also improved its use of procurement pipelines so that closer attention is given to contracts that may be nearing their end date or value. These actions, in conjunction with regular training, communication and the procurement toolkit have reduced the number of exceptions that have been required over the last 12 months from 116 in 2023-24 to 104 in 2024-25. The Corporate Procurement Board remains in place and the number of exceptions is continuing to reduce, with 17 being required in the first 6 months of 2025/26.

Assistant Director (Finance, Strategic Property and Commissioning), Corporate Resources Department

ongoing

Care Quality Commission Assessment

Between September 2024 and February 2025, the Care Quality Commission (CQC) undertook an assessment of how well the County Council meets its duties under Part 1 of the Care Act 2014. The CQC judged the Council as, 'Requires improvement', noting, "Overall, we heard mixed feedback from people about their experiences of contact and support from the local authority and many people said their care and support had improved their independence."

The Council is developing an improvement plan to address the areas of improvement highlighted from the Assessment which include timeliness of assessments, support for informal carers, access to information and advice, and ensuring adequate provision of services. The additional resource implications of the improvements required are being determined. A further Assessment will be carried out within the next 12 -24 months. Failure to improve could result in statutory intervention.

An improvement recommendation was made in the Auditor's Annual Report (AAR) 2024-25

"The Council should ensure that the action plan developed in response to the Care Quality Commission September 2025 inspection report is fully costed, with clear milestones and progress is publicly reported on a regular basis."

The Director responded, 'The CQC action plan has been costed and is included as growth as part of the 2026/27 budget process and MTFs refresh. Immediate actions for 2025/26 are being funded through available earmarked reserves. Progress against the plan will be reported to the Adult and Communities Overview and Scrutiny Committee'.

Director of Adults & Communities

Actions scheduled to be delivered between December 2025 and November 2026

High Needs Block Deficit

Identified in the Auditor's Annual Report (AAR) 2024-25 was a key recommendation

"The Council urgently needs to work with schools and parents to develop and implement plans to ensure that specialist or independent school placements are only used for children where this is the most appropriate route. The Council also needs to continue to increase the number of places available for children in mainstream schools."

The Director has responded, 'The Council is focused on implementing further mitigations to reduce demand for EHCP's and the unit cost of providing them, alongside delivering current TSIL programme savings. The further mitigations include mainstream inclusion initiatives to reduce reliance on ISP's, policy and commissioning reviews and accelerating provision of new special school places. The issue cannot be fully resolved by the Council alone, and the governments delayed SEND White Paper will be fundamental to the long-term sustainability of SEND'.

Director of Children & Family Services

Ongoing, further mitigations to be built into 2026-27 budget.

The Council has identified areas to be developed which are reported in the Annex to the AGS.

The Code of Practice on Local Authority Accounting in the UK 2024-25, requires that significant events or developments relating to the governance system that occurred between the Balance Sheet date, (31 March), and the date on which the Statement of Accounts will be signed by the responsible financial officer, are reported. The draft AGS was updated in line with the Code of Practice.

9. Future Challenges

Significant challenges faced by the Council are detailed within the Corporate Risk Register, which is regularly reviewed by the Corporate Management Team and presented to the Corporate Governance Committee (the Committee). Managing these risks adequately will be an integral part of both strategic and operational planning; and the day to day running, monitoring, and maintaining the Council. The most recent update of the Corporate Risk Register was received by the Committee at its meeting on 31 March 2025.

Additional challenges continue to emerge, and key areas in particular are:

Transitioning to a new County Council administration

The outcome of the County Council elections which took place on 1 May 2025 was that the Reform UK party emerged as the largest party on the council although it fell 3 seats short of an overall majority and as such a minority administration position emerged. Whilst this is not a new feature of local government, following a long period of comparative stability at Leicestershire almost one third of experienced members did not seek re-election and of the fifty-five total members almost two thirds are new. Therefore, it is inevitable that new officer/member relationships will need to be built and significant new member induction across all parties undertaken to enable a constructive transition to a council that continues to operate effectively.

In the Auditor's Annual Report for 2024-25, Grant Thornton reported it had been made aware of issues relating to the conduct of a small number of new Members, leading to several complaints being received. Conduct issues are being managed internally, with the Member Conduct Panel working with officers to process and determine complaints and bring learning points on issues such as social media usage back to their own political groups. The Council already provides extensive training and ongoing support for Members, including on the Members Code of Conduct, the Seven Principles of Public Life (Nolan Principles) and the Council's social media policy and will continue to identify training and development needs in this area and work with political group leaders in relation to specific conduct issues. Nationally the Government has just announced upcoming reforms to strengthen the standards and conduct framework, and the council will need to amend some of its processes to respond to these reforms in due course

Local Government Reorganisation

In February 2025, the Minister of State for Local Government and English Devolution set out the formal invitation to the County Council (and all local authorities in two-tier areas and neighbouring unitary authorities) to develop a proposal for local government reorganisation which required interim plans to be submitted to the Government

by 21 March 2025. The Council submitted its interim plan for reorganisation and other proposals were sent to the government by Leicester City Council and Leicestershire's district councils in conjunction with Rutland County Council. The government has provided initial feedback on the interim plans so that final proposals can be worked on and submitted by the end of November 2025. In response to media queries, the Council stated that it noted the request for a single final submission, which can contain different options, and that will require discussion at a political level across Leicester, Leicestershire and Rutland. The Council agreed it will be helpful if all proposals are supported by the same evidence base and analysis so that the Government is able to clearly identify the right solution for Leicestershire. Regardless of the government's approach to the proposals submitted and its preferred way forward, there will follow a period of intensive work and demand on internal resources and short-term uncertainty and instability which will require mitigation.

Financial Sustainability

The Council's financial position is extremely challenging, with a budget gap in excess of £90m forecast in the Medium-Term Financial Strategy by 2028/29 as well as a High Needs Deficit in excess of £60m at the end of 24/25. This is a challenge shared by the local government sector, with continued inflationary pressures, rising demand and funding uncertainty creating a complex and difficult financial landscape, made worse by the continuation of one-off financial settlements from government. The Spending Review and Funding Reform, both due during 2025 are compounding this uncertainty. The Council has a prudent level of reserves that provide some level of assurance over financial sustainability, and a corporate Strategic Change Programme which identifies and manages the delivery of a wide-ranging savings programme. However, the Council must ensure that this programme is adequately resourced and is currently undertaking a fundamental review and prioritisation exercise to ensure that the savings initiatives that have the largest savings potential have sufficient resources.

Covid-19 Public Inquiry

Information has been provided to the Inquiry at the request of the Chair (through the LGA) in relation to the Module 1 (Preparedness and Resilience). The Report from the first module was published in July 2024 but did not reference the council's response. Information has also been provided following a formal direction for evidence in Module 5 (Procurement) concerning the procurement and purchasing of PPE and Module 8 (the impact of the Covid-19 pandemic on children and young people). There has been engagement with the Inquiry team in relation to Module 7 (Test trace and isolation rules) but to date no request for information has been received.

Assistance with migrants and asylum seekers

Challenges remain with the asylum system. The funding model is yet to be reformed so upper tier authorities do not get their full costs recovered. The Full Dispersal Model is now in operation with an uplift in the number of asylum seekers each local authority is expected to find accommodation for. Meeting the existing and now stretch targets remains a challenge due to limited private rental stock availability and ongoing homeless and temporary accommodation pressure. Regional multi-agency meetings involving government departments, councils, and Home Office accommodation contractors have been established to explore options and mitigate issues arising from dispersal. Governance arrangements continue to be coordinated by East Midlands Councils who act as the Strategic Migration Partnership for all asylum, migration, and resettlement issues.

Recruitment and retention

Whilst there have been improvements reflected in the Corporate Risk Register throughout the year there are still pockets where it is important not to lose traction.

CONTEST Strategy

The Council will continue to plan to meet its 'Prevent' and 'Protect' (Martyn's Law) duties under 'CONTEST' (the Government's Counter-terrorism strategy). The Terrorism (Protection of Premises) Act 2025, also known as Martyn's Law, received Royal Assent on Thursday 3 April 2025. Guidance will be published in due course which will assist in understanding the requirements set out in the legislation.

Artificial Intelligence and cyber security

Artificial Intelligence (AI) has the potential to transform various aspects of public sector, such as healthcare, education, security, and transportation, by enhancing efficiency, quality, accessibility, and innovation. However, AI also poses significant risks and challenges, such as ethical, legal, social, and economic implications, which

needs to be carefully addressed and regulated. Central Government has recognised the potential risks and opportunities surrounding AI. The National AI Strategy outlines the government's commitment to supporting the development and adoption of AI technologies across various sectors, including the public sector. Central government also provides a number of tools, such as the Generative AI Framework to inform and support local government implementations of AI. The NCSC (National Cyber Security Centre) provides guidance to help ensure any systems implemented are secure. The Council will continue its research and development of AI and fully debate and understand the risks and challenges.

The impact of a cyber/ransomware attack or IT system breach could be significant and will have varied effects on the organisation and its ability to provide critical/statutory services. To minimise the impact of such incidents, investment will need to continue to be made in the implementation of enterprise standard security systems, to further enhance our security posture and continue the journey to adopt greater defence in depth. Coupled with these technical defences, the Council will need to ensure it has robust business continuity and supporting disaster recovery plans, which are in place and regularly tested. Cyber security risk is included in the Corporate Risk Register with regular updates provided to members.

Procurement Regulations 2024

After much delay, large scale procurement reform was introduced on 24 February 2025. The Procurement Act replaced the Public Contract Regulations 2015. Implementation of the Act will significantly revise historical procurement rules.

All staff that are budget holders, or are involved in procuring goods or services, need to be aware of the regulations. The Commissioning Support Unit and Legal Services have created a set of rules, guidelines etc., amending the Contract procedure rules to reflect the new legislation. Guidance is available to cover the transition to the new regulations, and a comprehensive programme of learning and development to support the implementation of the changes. Further changes will be required as more intelligence is gained on the application of the Act.

Expected Service and National Reforms

Adult Social Care

- An adult social care sector pay agreement which would see pay increasing above national minimum wage levels;
- Baroness Casey independent commission into adult social care commencing in 2025. This will be a two-stage review with stage one reporting in 2026 and stage two reporting in 2028. The first phase will consider current and medium-term reform and recommendations within the current financial spending envelope. Phase two will consider longer term recommendations on the future of Adult Social Care delivery and funding models;
- The Casey Commission will inform the development of a national care service framework with new standards and responsibilities for councils;
- Mental Health Bill which has additional duties and responsibilities for local authorities.

Children & Family Services

- SEND - Details of the government's intended approach to SEND reform will be set out in a Schools White Paper which has been delayed to the new calendar year. The upcoming local government funding reform consultation will set out further details on supporting local authorities with regard to SEND as the government transitions to a reformed system;
- The Children's Wellbeing and Schools Bill – aims to break the link between young people's background and their future success. It will put in place a package of support to drive high and rising standards throughout the education and care systems so that every child can achieve and thrive.

Employment Rights Bill - proposes to make wide-ranging changes to employment rights through 28 individual employment reforms, including:

- the removal of the two-year qualifying period for unfair dismissal protection;
- ending "exploitative" zero hours contracts;
- amending the current thresholds for collective redundancy consultation;
- amending the flexible working regime;
- amending statutory sick pay eligibility requirements;

- amending the employer's duty to prevent sexual harassment and third-party harassment in the workplace;
- extending the time limits for bringing Employment Tribunal claims from three months to six months.

Waste Reforms

- Significant waste reforms being implemented by Government over the coming years including Collections and Packaging Reforms and Emissions Trading Scheme to cover energy from waste will have additional duties, responsibilities, and costs for local authorities.

Integrated Care Board (ICB)

- The requirement for Integrated Care Boards (ICB) to reduce their running costs nationally by approximately 50%, spending no more than £18.76 per head of the ICB's population, are likely to have an impact on adults and children's social care and public health. It is anticipated that the Leicester, Leicestershire and Rutland (LLR) ICB will 'cluster' with another ICB. This may lead to staff redundancies and/or the remaining staff in the ICB being responsible for a broader geographic area, potentially leading to less of a focus on the Leicestershire 'place' and a reduction in local partnership working.

Additionally, the new model ICB blueprint calls for the focus of ICBs to be strategic commissioning with certain functions of the ICB, in its current form, set to transfer to provider organisations or partners over time. These include safeguarding, infection and prevention and control (IPC) and communications. It is unknown what the future arrangements of these functions will be but may have implications for the Council.

10. Certification

The Council is satisfied that appropriate governance arrangements are in place and continue to be regarded as fit for purpose.

We propose over the coming year to take steps to address any matters to further enhance our governance arrangements in these challenging times. We are satisfied that these steps will address the need for any developments that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Furthermore, having considered all the principles of the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption, we are satisfied that the Council has adopted a response that is appropriate for its fraud and corruption risks and commits to maintain its vigilance to tackle fraud.

Credit must be given to our excellent staff, who continue to work under tight budgetary controls yet still deliver high quality services.

With many pressures over the horizon, we are confident that the Council is well placed to meet these challenges.

.....
John Sinnott
Chief Executive

.....
Dan Harrison
Leader of the Council

AREAS FOR FURTHER DEVELOPMENT IN 2025-26

The Corporate and Departmental AGS self-assessments contained a set of conformance statements under each core principle and related sub-principles as outlined in the CIPFA/SOLACE Delivering Good Governance in Local Government: Framework (2016). Each conformance statement required a corresponding score of 1, 2 or 3 to be recorded, based on the criteria below:

Score	Definition	Description	Evidence (all inclusive)
1	Good 	Conformance against most of the areas of the benchmark is good, although there may be minor developments required but with a limited impact on the ability to achieve departmental and Council objectives. Strategic, reputational, and/or financial risks are minor, and performance is generally on track.	Many elements of good practice to a high standard and high quality. Substantial assurance can be given that coverage of the sub-principle is operating satisfactorily and extends to most/all services areas within the department
2	Some development areas for improvement 	There are some developments required against areas of the benchmark and the department may not deliver some of its own and the Council objectives unless these are addressed. The management of strategic, reputational, and/or financial risks is inconsistent, and performance is variable across the department.	Some elements of good practice to a high standard and high quality. Moderate assurance can be given that coverage of the sub-principle is working adequately in certain service areas, with omissions in others. Proposal/Plans are in place to address perceived shortfalls
3	Key development and many areas for improvement 	Conformance against many/all areas of the benchmark is poor and therefore delivery of departmental and Council objectives is under threat. There are many strategic, reputational, and/or financial risks and performance is off track.	Few elements of good practice to a high standard and high quality. Coverage of this expectation is omitted amongst most areas. Proposal/Plans to address perceived shortfalls are in early stages of development

Examples of key actions is summarised in the table below.

Note: some actions are not included in the table as they are already reported through the Corporate Risk Register (CRR).

Annual Review of the Effectiveness of the Council's Governance Framework against the CIPFA/SOLACE Delivering Good Governance in Local Government: Framework (2016)

Core Principles of the Framework	Overall Assessment	Action to Develop Areas Further in 2025-26 (Ongoing and New)
Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law		
Principle B: Ensuring openness and comprehensive stakeholder engagement		- Keep relations with District Councils under review to ensure that any potential tensions over local government reorganisation do not impact on progress. - Embed new Public Advisory Group (PAG) and Citizens Assembly as part of enhanced Health Determinants Research Collaboration (HDRC) community research arrangements.
Principle C. Defining outcomes in terms of sustainable economic, social, and environmental benefit		- Continuing to develop the approach to multi-year monitoring of large and complex capital schemes to ensure medium term implications brought out, including risks and mitigations. - Produce new Strategic Plan to run for the life of the new Council from 2025 onwards.
Principle D. Determining the interventions necessary to optimise the achievement of the intended outcomes		- Continue to push for fairer funding sought to ensure longer term service sustainability. - Guidance to be reissued to Partnership Leads to re-enforce the need to pick up key partnership risks in partnership structures and where relevant into DMT risk registers. - Look to further enhance reporting on the social value achieved through procurement/contracts.
Principle E. Developing the entity's capacity including the capability of its leadership and the individuals within it		- Ensure all new members, since the election, receive appropriate and timely induction. - Obtain and evaluate all Members (including Independent Members) of Corporate Governance Committee's self-assessment of their knowledge and skills of an audit committee, to devise a training plan for the Committee. - Discussions continuing on Local Government Reorganisation ahead of a pathway to a possible devolution deal. - Continued work to ensure an effective Integrated Care Partnership that supports social care and public health priorities. - Further improve training through enhanced functionality from the thrive learning portal.

Principle F. Managing risks and performance through robust internal control and strong public financial management		• Review of performance reports planned to ensure more consistency and best practice in data visualisation. • Corporate Data Strategy project under way to improve roles and arrangements that support the data pipeline and data architecture. • Arrange for an overdue Risk Management independent review. • Arrange for training and CRMG meetings. • Ensure audit of Assurance Framework is completed early 2025-26. • Corporate Data Strategy project still under way to improve roles and arrangements that support the data pipeline and data architecture. • Continued focus required on data quality as systems and processes change e.g. key systems change in Children and Families Services.
Principle G. Implementing good practices in transparency reporting and audit to deliver effective accountability		• Continuous development of procurement pipelines by departments. • Importance of managing risks in partnership settings in accordance with the Council's Risk Management Policy to be reinforced to relevant managers. • Implement actions from the Internal Audit Service EQA. • Implement the requirements of the Global Internal Audit Standards in the UK Public Sector and the Code of Practice on the Governance of Internal Audit in Local Government.

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CONSTITUTION COMMITTEE – 24th NOVEMBER 2025

REPORT OF THE CHIEF EXECUTIVE

REVIEW AND REVISION OF THE CONSTITUTION

Purpose of the Report

1. The purpose of this report is to recommend changes to the Constitution as part of this year's annual review.

Background

2. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. It requires that changes to the document should only be approved by the full County Council after consideration of the proposal by the Chief Executive and the Constitution Committee or, in the case of the Financial Procedure Rules and Contract Procedure Rules, the recommendations of the Corporate Governance Committee.
3. In the case of everything except the Meeting Procedure Rules the final decision on changes can be made at a single meeting of the County Council. However, in the case of the Meeting Procedure Rules, any motion to add, vary or revoke Standing Orders must, having been proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
4. The Constitution has been reviewed on an annual basis every year since it came into effect in June 2001. This report sets out the results of the latest review.

Key Changes

5. Changes have been made to three areas of the Constitution, namely the Articles (Part 2), the Meeting Procedure Rules (Part 4A) and the Overview and Scrutiny Procedure Rules (Part 4E).

Articles

6. Two changes have been made to the Articles in Part 2 of the Constitution. These are set out in Appendix A and relate to Article 6 (Overview and Scrutiny Committees) and Article 14 (Finance, Contracts and Legal Matters).
7. A new Article 6.06 has been added to capture current practice regarding the appointment of the four Scrutiny Commissioners. Article 14 has been amended in light of recent case law. This is to make clear the current practice which allows the Director of Law and Governance to subdelegate their powers in respect of instigating and defending cases in court. This is in line with the Council's general conditions of delegations contained in Section D, Part 3 of the Constitution.

Meeting Procedure Rules ("the Rules")

7. Amendments have been made to provide greater clarity regarding the Council's current, accepted processes and to ensure the Rules can be more easily navigated by officers and members.
8. The key amendments are summarised below, and the changes can be found in Appendix B highlighted in bold text.
 - (i) Most of the Rules apply to County Council meetings with some also applying to Executive and other Council committees and boards. To make it clearer which rules apply to which bodies, the procedures have been separated into two main parts, with the third section dealing with administrative matters relating to the interpretation, amendment and suspension of the Rules. The three new sections are as follows:
 - Section 1 - County Council Procedure Rules
 - Section 2 - Executive, Commission, board and committee Procedure Rules
 - Section 3 - Interpretation, amendment and suspension of Standing Orders
 - (ii) Subheadings have been introduced to make the document easier to navigate. The inclusion of subheadings and the separation of the Rules into three separate sections as outlined above, has resulted in some of the Rules being moved and renumbered. Such changes have not been highlighted in Appendix B if the Rule itself remains unchanged.
 - (iii) Standing Order 1 (Meetings of the County Council) – This has been amended to allow more time to hold the annual meeting in an election year (now anytime within 21 days of the election in line with

the Local Government Act 1972). The rule also now includes the legal basis for calling extraordinary meetings and explicitly allows for the electronic delivery of the meeting summons which has been the Council's accepted practice for some years.

- (iv) Standing Order 2 (Chairman and Vice Chairman) – This has been expanded to make clear how the Chairman and Vice Chairman are appointed, who can be appointed and sets out more clearly their authority to manage the meeting process. The Rule also now describes the broader civic role of the Chairman of the Council in line with the Council's Protocol for the Chairman. This makes clear the expectation that they will distance themselves from political activity during their term as Chairman.
- (v) Standing Order 3 (Quorum) – The rules have been made clearer to cover circumstances when a quorum might not be present at the start of a meeting. In line with accepted practice, a time limit of 15 minutes is now included to allow for a quorum to be established.
- (vi) Standing Order 6 (Minutes) – Replacing current paragraph (4) and the note at the bottom of this Standing Order, a new paragraph (1) has been added to make clear that the minutes of a previous meeting need only be confirmed at the next ordinary meeting (not at an extraordinary meeting).
- (vii) Standing Order 7 (Questions from Elected Members) – Current paragraph 7(2) has now been moved to Section 2 (Executive, Commission, board and committee Procedure Rules) of these rules, which relate to meetings of the Commission, boards and other committees. Minor changes have been made to confirm the process for providing replies to questions received late and supplementary questions which cannot be answered in a meeting. The scope of questions has also been expanded to make clear that questions which are defamatory, frivolous, offensive, vexatious, derogatory and unlawful will not be allowed. This is in line with other authorities' constitutions.
- (viii) Standing Order 8 (Position Statements) – A minor change has been made to delete paragraph (5), the ability for the Chairman of the Scrutiny Commission to make a Position Statement now being included in paragraph (1).
- (ix) Standing Order 9 (Procedure relating to reports to Council) – The process for submitting reports to Council has been simplified to make clear who is responsible for moving the recommendation set out in the report.

- (x) Standing Order 10 (Notices of Motion) – New paragraphs (2) and (3) have been added to acknowledge current practice allowing for motions to be received by email and that these can be submitted to the annual meeting. A new section relating to the ‘scope’ of motions has been added, making clear the types of motions that would not be considered acceptable and the process that will be followed if a notice of motion received were to be rejected by the Chairman. These provisions align with the constitutions of many other authorities.
- (xi) Standing Order 17 (Right to require motion in writing) – The title of this Standing Order has been changed from ‘Motions and amendments generally’ to make its purposes clearer. Paragraph (2) has been moved to form part of new Standing Order 19.
- (xii) Standing Order 19 (Proposing and seconding motions and amendments) – This is a new Standing Order which sets out more clearly the process for moving and seconding motions. The process in practice remains unchanged and paragraphs (1) and (2) have simply been moved from other parts of the current constitution. Paragraph (3) has been updated to align with current procedures, specifying that any member proposing an amendment to a motion is limited to speaking once, and their remarks on the original motion should include the proposed amendment.
- (xiii) Standing Order 20 (Speeches) – This now incorporates all of current Standing Orders 19 (Length of speeches and conduct of members), 20 (Seconder’s speech) and 21 (When a member may speak again) and has been retitled.
- (xiv) Standing Orders 24 (Closure Motions) – This is a new Standing Order which incorporates current Standing Order 24 (Next business etc), 25 (Adjournment of debate) and 26 (Closure). This has been simplified, however, in practical terms the process for dealing with these procedural matters remains unchanged.
- (xv) Standing Order 25 (Voting) – New paragraph (1) has been added to make clear the current practice that, unless otherwise stated, matters will be determined by a majority vote. New paragraph (5) sets out the accepted practice regarding the use of the Chairman’s casting vote which will be unrestricted in line with the Local Government Act 1972. The process for carrying out a ballot has been included in new paragraph (6) which reflects the process already adopted and within the model constitution. The voting process when dealing with appoints by the Council has been incorporated into this Standing Order (previously Standing Order 27). The current Standing Order 28 (Appointments at the Annual meeting of the Council) remains unchanged but has been

renumbered as Standing Order 26.

- (xvi) Current Standing Order 31 (Interests in Contracts and other matters) has been deleted as this duplicates the Members' Code of Conduct.
- (xvii) New Standing Order 28 (Application of Council Procedure Rules) lists those rules in Section 1 (County Council Procedure Rules) that will also apply, subject to any necessary modification, to meetings of the Commission, boards and committees. This should help navigate the rules when attending different meetings.
- (xviii) Standing Order 29 (Chairman and Vice Chairman) - A new paragraph (3) has been added to reflect the current process as set out in the Overview and Scrutiny Procedure Rules regarding the appointment of scrutiny committee chairmen, i.e. that they are appointed by full Council at each annual meeting.
- (xix) Standing Order 30 (Meetings) – New paragraphs (1) to (3) have been inserted to make clear the current process for setting and calling meetings.
- (xx) Standing Order 31 (Proceedings at Meetings) – New paragraphs (2) – (5) have been included to set out the process for appointing and notifying the Chief Executive of substitutes for meetings. As agreed by Group Leaders', this now includes a deadline for notice having to be provided by 5pm the day before a meeting. Paragraph (6) has been added to set out more clearly the current accepted practice for dealing with Urgent Items. Current Standing Order 33(3) regarding political groups requesting items be added to scrutiny agendas has been incorporated into this rule and a new rule added, which states such an item cannot be requested again for period of six months. New paragraph (9) which relates to requests by the Executive for Chief Officers to attend meetings, has been included to mirror the rule in paragraph 10 which applies to meetings of the Commission, boards and committees.
- (xxi) Standing Order 32 (Questions) – This now incorporate the rules relating to questions from elected members so far as these relate to non-Council meetings. A new paragraph (7) has been included to explain how questions which are rejected by the Chairman will be dealt with.

Overview and Scrutiny Procedure Rules

9. Some minor, correctional changes have been made to the Overview and Scrutiny Procedure Rules to reflect the changes set out above. The changes also correct some practical points regarding how the

commissioners are appointed, agreement of job descriptions which is a matter for the Scrutiny Commissioners, and agreement of work programmes, which is a matter for individual scrutiny committees.

Recommendation

10. That the County Council be recommended to approve the proposed changes to the Constitution as set out in the Appendix attached to this report.

Equal Opportunities and Human Rights Implications

11. There are no equalities and human rights implications arising from this report.

Background Papers

The Constitution of Leicestershire County Council.

Circulation under Local Issues Alert Procedure

None.

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Appendices

Appendix A – Proposed Changes to the Constitution 2025
Appendix B – Amended Meeting Procedure Rules

APPENDIX A

PROPOSED AMENDMENTS TO THE CONSTITUTION OF LEICESTERSHIRE COUNTY COUNCIL NOVEMBER 2025

<u>ITEM</u>	<u>PROPOSED AMENDMENT</u>	<u>EXPLANATION</u>
<u>PART 2 - ARTICLES</u>		
Article 4 – The full County Council	Amend Article 4.02(e) to read as follows: ‘Agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them including the appointment of the Scrutiny Commissioners and Chairs of the overview and scrutiny committees in accordance with Article 6;’	To reflect changes made to Article 6 detailed below.
Article 5 – Chairing the County Council	Amend Article 5.01(b) to read as follows: ‘distance themselves from the political arena and to preside over meetings of the County Council in a fair manner, ensuring its business can be carried out efficiently and with regard to the rights of all county councillors and the interests of the community;’	To reflect changes to Meeting procedure Rule 2(3) and current Protocol for the Chairman.
Article 6 – Overview and scrutiny committees	Add a new Article 6.06 as follows and renumber the remaining paragraphs:	To reflect the current process for the appointment of Scrutiny Commissioners which is undertaken by full Council.

	‘Appointment of Scrutiny Commissioners The Council will appoint four Scrutiny Commissioners, two from the leading political group and one from each of the two main opposition groups, one of whom will be the Chairman determined in accordance with paragraph 6.05 above.’ Amend the second paragraph in current Article 6.06 (to be renumbered 6.07) to state as follows: ‘Four Scrutiny Commissioners determined in accordance with paragraph 6.06 above.’	To reflect the addition of new Article 6.06 referred to above.
Article 14 – Finance, contracts and legal matters	Amend the first part of Article 14.03 as follows: ‘Legal proceedings The Director of Law and Governance is authorised, and may authorise others, to do the following:…’	To reflect advice following recent case law.
<u>PART 4A – MEETING PROCEDURE RULES</u>		
	Replace the Meeting Procedure Rules with those set out in Appendix B.’	A number of changes made to provide greater clarity regarding the Council’s current procedures and to make these easier for members and officers to navigate.
<u>PART 4E – OVERVIEW AND SCRUTINY PROCEDURE RULES</u>		
Rule 1 – The number and arrangements for overview and	Amend Rule 1, second sentence to refer to the ‘Scrutiny Commissioners’, in place of the ‘Scrutiny	Correction to reflect current practice.

scrutiny committees	Commission'.	
Rule 2 – The Scrutiny Commission	Delete paragraph (3) and move to Rule 2A as detailed below.	Moved to Rule 2A (Scrutiny Commissioners) as approval of Chair and Deputy Chair job descriptions is currently a matter dealt with by the Scrutiny Commissioners.
Rule 2A – Scrutiny Commissioners	Amend the start of Rule 2A to read as follows: ‘1. The Scrutiny Commissioners will be appointed by Council in accordance with Article 6 of this Constitution. 2. The Scrutiny Commissioners will exercise the following responsibilities in relation to overview and scrutiny of the discharge of County Council functions, whilst recognising that scrutiny committees are encouraged to set their own relevant agendas: (a) agree job descriptions for the Scrutiny Commissioners and for the Chairmen, Deputy Chairmen and Spokespersons of the overview and scrutiny committees; (b) approve an annual’	To reflect changes made to Article 6 and the current practice regarding approval of job descriptions as detailed above.
Rule 3 – Membership of overview and scrutiny committees	Add new paragraph 1 and renumber as follows: ‘1. Membership of the Scrutiny Commission and other overview and scrutiny committees will be determined by full Council.	To reflect the Meeting Procedure Rules and the functions of the County Council.

Rule 6 – Chairmanship and meetings of the overview and scrutiny committees	Amend paragraph (a) to refer to Article 6.07. Add new paragraph (b) to read as follows: ‘(b) The appointment of chairmen of review panels will be a matter for the Scrutiny Commissioners to determine for those relating to County Council functions and for the Health Overview and Scrutiny Committee to determine for those relating to Health Service functions.’ Delete the note at the bottom of this Rule.	To reflect the renumbered Article 6 outlined above. To reflect current practice regarding the process for establishing Review Panels. The note duplicates the updated Meeting Procedure Rules outlined above .
Rule 7 – Work programme	Amend to read as follows: ‘The Scrutiny Commission and other overview and scrutiny committees will each be responsible for setting their own work programmes. In formulating their work programmes they shall take into account the wishes of members on that committee who are not members of the current political administration of the County Council.’	To reflect current practice – each scrutiny committee is responsible for its own work programming.

APPENDIX B

Part 4A - Meeting Procedure Rules**Section 1 – County Council Procedure Rules****STANDING ORDER 1**
Meetings of the County Council**Annual Council Meetings**

- (1) The annual meeting of the Council shall be held:-
- (a) in the year of the ordinary election of councillors to the Council, **within 21 days of** the election;
 - (b) in any other year, on any Wednesday in May.

Ordinary Council Meetings

- (2) In addition to the annual meeting of the Council and any meetings convened by the Chairman or by members of the Council, meetings for the transaction of general business shall be held on such days as may be determined by the Council at its annual meeting on the recommendation of the Executive provided that a date so determined may be varied by the Executive.*

Extraordinary Council Meetings

- (3) **An extraordinary meeting of the Council may be called at any time by:**
- (a) **the Council by resolution;**
 - (b) **the Chairman of the Council;**
 - (c) **the Monitoring Officer or the Head of Paid Service;**
 - (d) **any five members of the Council if they have signed a requisition presented to the Chairman of the Council and the Chairman has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.**

Time and Place of meetings

- (4) Unless the Council otherwise determines, all meetings of the Council shall be held at 2.00 p.m. other than a meeting on a Saturday which shall be held at 10.00 a.m. provided that the time may be varied by the Chairman following consultation with Group Leaders.

Notice of and Summons to Meetings

- (5) The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules. At least five clear days before a meeting, the Chief Executive will send a summons signed by him/her by electronic mail to every Member. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

[Note - In these Standing Orders "ordinary meeting" means a meeting described in paragraph (1) or (2) above other than a meeting convened by the Chairman or by members of the Council.]

STANDING ORDER 2

Chairman and Vice Chairman of the meeting

Election

- (1) The Chairman and Vice Chairman of the Council will be elected by the Council annually in accordance with Standing Order 25. The Chairman will, unless they resign or become disqualified, continue in office until their successor becomes entitled to act as Chairman.
- (2) Any Member of the Council will be eligible for appointment as Chairman or Vice-Chairman except for Members of the Cabinet and Cabinet Support Members.
- (3) The Chairman is elected by the whole County Council to perform the function of regulating and controlling the proceedings of Council meetings in a fair manner, ensuring that the rights of all Members, regardless of political opinion, are observed. The Chairman has a broader role in terms of engaging with the people of Leicestershire and promoting and enhancing the civic life of the County. Once elected, the Chairman must ensure that they distance themselves from the political arena during their term of office.

Chairing a meeting

- (4) Any power or duty of the Chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.
- (5) **The Vice Chairman will preside at a meeting in the absence of the Chairman.**
- (6) **If both the Chairman and Vice Chairman are absent then, as the first item of business, one of the members present must be appointed to preside over the meeting subject to paragraph (7) below.**
- (7) **If the Chairman, or the Vice Chairman at a meeting from which the Chairman is absent, arrives after the meeting has started, they will preside over the meeting after any question under discussion on their arrival has been disposed of (not before).**

STANDING ORDER 3

Quorum

- (1) The quorum of a meeting will be one quarter of the whole number of members.
- (2) If during any meeting of the Council the Chairman after counting the number of members present declares that there is not a quorum present the meeting shall stand adjourned. **Unless a quorum can be established within 15 minutes and the meeting resumed** consideration of any business not transacted shall be adjourned to a time fixed by the Chairman at the time the meeting is adjourned, or, if he or she does not fix a time, to the next ordinary meeting of the Council.

STANDING ORDER 4

Order of business

Except as otherwise provided by Standing Order 5 or as required in law, the order of business at ordinary meetings of the Council shall be:-

- (1) to choose a person to preside if the Chairman and Vice-Chairman are absent;
- (2) Chairman's announcements;
- (3) to receive the report of the Returning Officer;
- (4) to confirm the minutes of the last meeting of the Council;
- (5) **to receive any declarations of interest;**

- (6) to answer questions asked under Standing Order 7 (Questions from elected members);
- (7) to dispose of business (if any) remaining from the last meeting;
- (8) to receive Position Statements under Standing Order 8 (Position Statements);
- (9) to consider reports of the Executive, the Scrutiny Commission (the "Commission"), the scrutiny committees, the Development Control and Regulatory Board, the Constitution Committee, the Corporate Governance Committee and the Local Pension Committee;
- (10) to agree a programme of ordinary meetings of the Council for the year;**
- (11) to appoint the Leader and such Cabinet Support Members as the Council considers appropriate;
- (12) to determine the allocation of committee places to political groups to ensure so far as is practicable that the rules relating to political balance are met;
- (13) to appoint members of the Commission, boards and committees **and Chairmen of the scrutiny committees;**
- (15) to consider motions in the order in which notice has been received;
- (16) any other business, if any, specified in the summons.

[Note: Any in-year changes to membership of the Commission, boards or committees will be made via Council's delegation to the Chief Executive to make such changes. Any in-year changes to the charring arrangements for scrutiny committees and any other board or committee will be made by the relevant committee.]

STANDING ORDER 5 ***Variation of order of business***

- (1) Subject to paragraph (2) below, the order of business at a meeting may be varied:-
 - (a) by the Chairman at his or her discretion; or
 - (b) by a resolution passed at that meeting. A motion to vary the order of business shall be moved and seconded formally and put without discussion.

- (2) Business falling under items (1), (3) and (4) of Standing Order 4 shall not be displaced.

STANDING ORDER 6

Minutes

- (1) **Minutes of the last Council meeting must be confirmed at the next ordinary meeting of the Council where possible. There is no requirement to sign the minutes of a previous ordinary meeting at an extraordinary meeting.**
- (2) Approval of the minutes of a previous meeting will be moved by the Chairman.
- (3) No motion or discussion shall take place upon the minutes, except upon their accuracy, and any matter concerning their accuracy shall be raised by amendment.
- (4) If no such matter is raised, or if it is raised then as soon as it has been disposed of, the Chairman shall sign the minutes.

STANDING ORDER 7

Questions from Elected Members

Questions with notice

- (1) At a meeting of the Council a member may ask the Chairman of the Council, the Leader, any designated member of the Executive, or the Chairman of the Commission, a board or a committee, any question relating to the business of the Council or of the Executive or which relates to a matter affecting the County. The term “designated member” means any member of the Executive which the Executive from time to time may specify as such for the purposes of this Standing Order.
- (2) The text of any question shall be submitted in writing to the Chief Executive not less than five clear days before the meeting at which the member proposes to ask the question subject to paragraph (3) of this Standing Order (urgent business).
- (3) The chairman of the meeting may allow the asking of a question which has not been submitted as required by paragraph (2) above, if he or she considers that it relates to urgent business. The text of any such question shall, if possible, be delivered to the Chief Executive not later than 10.00 a.m. on the day before the meeting at which the question is to be asked. **In these circumstances, there is no guarantee that a full or written reply will be given at the meeting.**
- (4) After a question has been replied to, the member who asked it may, if they are present at the meeting, ask one supplementary question for

the purpose of clarifying the reply which has been given. A member asking such a supplementary question shall confine himself or herself to the substance of the original question and shall not introduce any new matter which did not fall within the scope of his or her original question. **If an answer to a supplementary question cannot be provided at the time, a written response will be provided, where possible, within seven working days of the meeting.** In paragraphs (5) - (12) of this Standing Order, the word "question" shall include such a supplementary question.

- (5) Every question shall be put and answered without discussion.
- (6) No resolution shall be moved with reference to any question or reply to a question.
- (7) Questions asked in pursuance of the above paragraphs of this Standing Order shall be recorded in the minutes of the meeting, and the Chief Executive shall supply the questioner with a copy of the replies thereto within seven working days after the meeting.

Questions without notice

- (8) In addition to the right to put questions contained in the foregoing paragraphs, at a meeting of the Council any member may without notice ask the Leader, or the Chairman of the Commission, or the chairman of a board or a committee any question upon an item of the report of the body concerned then before the Council, provided that the question is put before the Council's consideration of that item is concluded.

Scope of Questions

- (9) If the Chairman of the meeting **following consultation with the Monitoring Officer** is of the opinion that the question is out of order, of a personal character, **defamatory, frivolous, offensive, vexatious, derogatory, unlawful**, or in the interests of the Council it is undesirable, he or she shall so inform the member and shall not allow the question to be put.
- (10) **The Chairman's ruling on the rejection of a question will be final.**

STANDING ORDER 8

Position Statements

- (1) One or more Position Statements may be presented to the Council by the Leader and any member of the Executive **and the Chairman of the Scrutiny Commission** in such form as the person presenting the Position Statement may determine.

- (2) A Position Statement may give rise to an informal discussion by the Council provided that, subject to paragraph (4), no motion or amendment shall be moved during that discussion.
- (3) The discussion of any Position Statement shall not exceed twenty minutes but the Chairman, at his or her discretion, may permit an extension of such length as he or she considers appropriate.
- (4) At the conclusion of any discussion of a Position Statement, a formal motion may be moved to the effect that a particular issue relevant to the Position Statement be referred to the Executive, the Commission, a board or a committee as the case may be, for consideration. Such a motion shall be moved and seconded formally and shall be put without discussion.

STANDING ORDER 9 *Procedure relating to reports to Council*

Signing a report to Full Council

- (1) **Any report presented to the Council by the Cabinet, the Commission, a board or committee must be signed either by the Leader (or appropriate Lead Member), or the Chairman of the Commission, board or committee, as the case may be.**

Motion to approve recommendations in report

- (2) **A report from the Cabinet, the Commission, or other board or committee will be taken as read subject to alterations or amendments in accordance with Standing Orders 15 and 16.**
- (3) **The Leader (or appropriate Lead Member), or the Chairman of the Commission, board or committee will move the recommendations within the report. Any other member may second the motion.**
- (4) **In the case of a report of the Cabinet, a motion may be moved by any Lead Member in the absence of, or at the request of, the Leader.**
- (5) **In the absence of the Chairman or Vice Chair of the Commission, board or committee, the Chairman of the Council may appoint some other member of that body to move the recommendations in its report. Preference will be given to the Vice Chairman when the member absent is the Chairman.**
- (6) **Where two or more bodies submit a joint report, the motions set out in that report will be moved by the Member whose signature to the report appears first.**

[Note: Rule 9(b) of the Overview and Scrutiny Procedure Rules in Part 4E of the Constitution provides that where an overview and scrutiny committee cannot agree on a final single report to the Council, then up to one minority report may be prepared and submitted with the majority report.]

STANDING ORDER 10

Notices of motion

Notice

- (1) Notice of every motion (other than a motion which under Standing Order 11 may be moved without notice) shall be in writing signed by the member(s) giving the notice and delivered to the Chief Executive at least eight clear days before the next meeting of the Council.
- (2) **Delivery of a notice of motion can be by electronic means provided that the Chief Executive is satisfied it has been sent by the member(s) concerned.**
- (3) **Notices of motion may be submitted for consideration at the annual or ordinary meetings of the Council. They cannot be submitted for extraordinary meetings unless they relate to the subject matter of that extraordinary meeting.**

Inclusion in the summons

- (4) The Chief Executive will date and number each notice of motion in the order in which it is received and make this available for inspection by every member of the Council.
- (5) **Motions received in accordance with this Standing Order** shall be inserted in the summons for every meeting of the Council in the order in which they have been received, unless the member(s) when giving the notice stated in writing that he or she proposes to move it at some later meeting, or has withdrawn it in writing.

Scope

- (6) **Motions must be clear and concise and be about matters for which the Council has responsibility, or which affect the County or its residents and must not:**
 - (a) **be defamatory, frivolous, offensive, vexatious, derogatory, or unlawful;**
 - (b) **relate to applications for or objections to any non-determined planning application or any licence, notice or order issued, served or made by the Council;**

- (c) **relate to individual staffing matters or the personal information of Members or Officers;**
 - (d) **raise any matter involving exempt or confidential;**
 - (e) **be considered by the Chairman to be out of order or otherwise inappropriate for the particular meeting or to undermine the purposes of the Constitution;**
 - (f) **fall within Standing Order 13.**
- (7) Any notice of motion which would have the effect of materially increasing the expenditure or reducing the revenue of the Council, otherwise than in the form of a proposal that the matter be referred to the Executive for consideration and report, shall not be deemed to have been duly given for the purposes of this Standing Order.
- (8) Any notice of motion which would have the effect of reviewing or rescinding a decision of the Executive taken under delegated powers, otherwise than in the form of a proposal that the matter be referred to the Executive for consideration and report, shall not be deemed to have been duly given for the purposes of this Standing Order.
- (9) Any notice of motion which would have similar effect to a notice of motion which has already been lodged shall not be deemed to have been duly given for the purpose of this Standing Order, on the basis that any differences can be addressed at the meeting through an amendment to the accepted motion.
- (10) The Chairman's ruling, following consultation with the Monitoring Officer, on the rejection of a motion will be final.**
- (11) Where a motion is rejected, the member(s) concerned will be advised as soon as possible giving reasons for the rejection. Where time permits, the member may submit an amended motion which will be considered afresh. For the avoidance of doubt, motions amended in this way must be delivered within the timescale referred to at paragraph (1) above.**

Moving the motion

- (12) If a motion of which notice has been given and not withdrawn is not moved by the member(s) who gave notice of it, it may be moved by another member of the Council and if not so moved it shall, unless postponed by consent of the Council, be treated as abandoned and shall not be moved without fresh notice.

[Note: In Standing Order 10(8) the phrase "taken under delegated powers" is deemed to cover those matters which are the responsibility of the Executive not only as a matter of local choice but also as a consequence of the

operation of the Local Government Act 2000 and any statutory provisions made under that Act.]

STANDING ORDER 11

Motions and amendments which may be moved without notice

Motions and amendments relating to the following matters may be moved without notice:-

- (1) appointment of a chairman of the meeting at which the motion is made;
- (2) the approval of accuracy of the minutes;
- (3) that an item of business specified in the summons have precedence;
- (4) appointment of a body or the members thereof, occasioned by an item mentioned in the summons to the meeting;
- (5) adoption of reports and recommendations of the Executive, the Commission, a board or committee and any consequent resolution;
- (6) giving consent of the Council where the consent of the Council is required by these Standing Orders;
- (7) any of the motions listed in Standing Order 13 whether or not moved whilst another motion is under debate.

STANDING ORDER 12

Notice of Amendments

- (1) Notice of the intention to move an amendment to a motion included on the agenda for a meeting in accordance with Standing Order 10 shall be submitted in writing to the Chief Executive at least two days before the meeting.
- (2) Notice of the intention to move an amendment to a motion to secure the approval by Council of the recommendations in a report of the Executive, the Commission, a board or committee shall be submitted in writing to the Chief Executive at least two days before the meeting.
- (3) Details of the notices referred to in (1) and (2) above shall immediately upon receipt be shared with the Leader of the Council and the Opposition Group Leaders.
- (4) Details of the notices referred to in (1) and (2) above shall be disclosed to all members of the Council at 9.00am on the day before the meeting.
- (5) The Chairman of the Council, or the Vice Chairman in their absence, may use their discretion to waive the requirement to comply with the

provisions of this Standing Order. Unless there are exceptional circumstances, such requests should be made before the meeting.

- (6) Where a member who has proposed an amendment is unable to attend the meeting, they may nominate another member to move the amendment.

STANDING ORDER 13 ***Motions which may be moved during debate***

When a motion is under debate no other motion shall be moved except the following:-

- (1) to amend the motion;
- (2) To withdraw a motion, amendment or report;**
- (3) to adjourn the meeting;
- (4) to adjourn the debate;
- (5) to proceed to the next business;
- (6) that the proposition under discussion be put;
- (7) that a member be not further heard;
- (8) by the Chairman under Standing Order 20(10) (Speeches) "That the member named do leave the meeting";
- (9) to exclude the public;
- (10) that the subject of debate be referred to the Executive, the Scrutiny Commission a board or committee;
- (11) to extend the time limit for speeches;
- (12) that Standing Orders be suspended under Standing Order 36 (Suspension);
- (13) that leave be given to alter or withdraw a motion, amendment or report.

STANDING ORDER 14 ***Rescissions and previous decisions***

- (1) No motion to rescind any resolution passed within the preceding six months and no motion to the same effect as one which has been rejected within that period shall be proposed unless at a meeting subsequent to the meeting at which such resolution or rejection was agreed a member moves for consent to propose his or her motion and

obtains a majority of those members present at the meeting, in which case notice of the motion shall be inserted in the summons for the next ordinary meeting of the Council.

- (2) This Standing Order shall not apply to a motion moved whilst there is before the Council a recommendation of the Executive, the Commission, a board or committee relating to the matter.

STANDING ORDER 15 ***Amendments to motions***

- (1) Subject to Standing Order 10(8), an amendment shall be relevant to the motion and shall be either:-
 - (a) to refer a subject of debate to the Executive, the Commission, a board or a committee for consideration or re-consideration;
 - (b) to leave out words;
 - (c) to leave out words and insert or add others;
 - (d) to insert or add words;

but such omission, insertion or addition of words shall not only have the effect of negating a motion before the Council.

- (2) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of; provided that the Chairman may permit two or more amendments to be discussed (but not voted on) together if he or she considers that this course would facilitate the proper conduct of the Council's business.
- (3) If an amendment is lost, other amendments may be moved on the original motion.
- (4) If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- (5) **After an amendment has been carried, the Chairman will ensure everyone is clear on what the substantive motion is before accepting any further amendments, or if there are none, put it to the vote.**

STANDING ORDER 16 ***Alterations or withdrawal of motions or amendments***

- (1) Subject to Standing Order 10(8), a proposer of a motion may, with the concurrence of the seconder and the consent of the Council, alter the motion if the alteration is such that it could properly be effected by an amendment of the motion. A proposer of an amendment may, with the like concurrence and consent, alter the amendment if the amendment

as altered could properly have been moved in that form as an amendment. The altered motion or amendment shall if required by the Chairman be reduced into writing and handed to him or her before the consent of the Council to the alteration is sought.

- (2) A proposer of a motion or of an amendment may, with the concurrence of the seconder and the consent of the Council, withdraw the motion or amendment which he or she has proposed, and no member shall speak upon it after the proposer has thus asked permission for its withdrawal, unless such permission shall have been refused.
- (3) The giving or refusal of the consent of the Council to the alteration or withdrawal of a motion or amendment shall be signified without discussion.

STANDING ORDER 17 ***Right to require motion in writing***

Unless notice has already been given in accordance with Standing Orders 10 and 12 a motion or an amendment shall, if required by the Chairman, be put into writing and handed to the Chairman before it is further discussed or put to the meeting.

STANDING ORDER 18 ***Motions or questions affecting persons employed by the Council***

If any **motion or** question arises at a meeting of the Council, the Executive, the Commission, a board or a committee as to the appointment, promotion, dismissal, salary, pension, conditions of service or the conduct of any person employed by the Council, such question shall not be the subject of discussion until the body concerned has decided whether or not the power of exclusion of the public shall be exercised.

STANDING ORDER 19 ***Proposing and seconding motions and amendments***

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- (2) A member may not propose or second a motion or an amendment on which they are disqualified from voting.
- (3) **A Member proposing an amendment will speak only once on the original motion, whilst moving the amendment.**

STANDING ORDER 20

Speeches

Content

- (1) A member shall direct his or her speech to the question under discussion (i.e. it shall be directly relevant to the matter under discussion) or to a point of order or a point of personal explanation or information for the meeting

Length of speeches

- (2) Except in the case of a speech given by a principal speaker which shall not exceed 10 minutes, no speech shall exceed 5 minutes without the consent of the Council, and upon a motion for extension of these time limits no discussion shall be allowed.
- (3) Any extension of time granted to speakers by the Council in pursuance of this Standing Order shall not exceed 10 minutes in the case of a principal speaker or 5 minutes in any other case but the Chairman, at his or her discretion, may permit a further extension if he or she considers that this would facilitate the conduct of the Council's business.

Conduct when speaking

- (4) A member shall not impute motives or use offensive expressions to or about any other member and shall act in accordance with the role of a County Councillor as set out in Article 2.03 of the Constitution.
- (5) A member when speaking shall stand and address the Chairman.
- (6) If two or more members rise, the Chairman shall call on one to speak, the other or others shall then sit.
- (7) While a member is speaking the other members shall remain seated, unless rising to a point of order or in personal explanation.
- (8) Whenever the Chairman rises during a debate a member then standing shall resume his or her seat and the Council shall be silent.
- (9) If any member in the opinion of the Chairman signified to the Council, misconduct himself or herself by persistently disregarding the ruling of the Chairman, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, or by tedious repetition or unbecoming language in his or her speech, the Chairman or any other member may move "That the member named be not further heard", and such motion if seconded shall be put and determined without discussion.

- (10) If the member named continues his or her misconduct after a motion under the last previous paragraph has been carried, the Chairman shall either:-
- (a) move "That the member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion); or
 - (b) adjourn the meeting of the Council for such period as he or she in his or her discretion shall consider expedient.

Seconders's speech

- (11) A member when seconding a motion or amendment may, if he or she then declares his or her intention to do so, reserve his or her speech until a later period of the debate.

When a member may speak again

- (12) A member who has spoken on any motion shall not speak again whilst it is the subject of debate except:-
- (a) in exercise of the right of reply given by Standing Order 21;
 - (b) on a point of order or by way of personal explanation or point for information for the Council in accordance with Standing Order 22;
 - (c) to alter or withdraw a motion or amendment in accordance with Standing Order 16;
 - (d) to propose or second any of the motions referred to in paragraphs (2) to (13) of Standing Order 13;
 - (e) to second or to speak once on an amendment moved by another member;
 - (f) if the motion has been amended since he or she last spoke, to move a further amendment.
- (13) A member whose first speech was on an amendment moved by another member, may, after that amendment has been disposed of, speak again on the main issue or on any further amendment.

[Note: For the purposes of this Standing Order "principal speaker" shall be the member who moves the adoption of a report or of an item of a report of the Executive, the Commission, a board or a committee or who is designated as being an "appropriate spokesman" of the body concerned and is speaking on such a motion or any amendment to it or the member who moves a motion under Standing Order 10.

"Appropriate spokesman" has been defined by the Council as follows:

reporting body: "appropriate spokesman"

Executive: *Leader of the Opposition or his or her nominee*

Scrutiny Commission: *Leader or his or her nominee*

Scrutiny Committees:	<i>spokesmen of the two Groups to which the chairman of the Scrutiny Committee concerned does not belong</i>
Employment Committee:	<i>spokesmen of the two Groups to which the chairman of the Committee does not belong</i>
Development Control & Regulatory Board:	<i>spokesmen of the two Groups to which the chairman of the Board does not belong</i>
Constitution Committee:	<i>spokesmen of the two Groups to which the chairman of the Committee does not belong</i>
Local Pension Committee:	<i>spokesmen of the two Groups to which the chairman of the Committee does not belong]</i>
Corporate Governance Committee	<i>Spokesmen of the two Groups to which the Chairman of the Committee does not belong</i>

STANDING ORDER 21 ***Right of reply***

- (1) The proposer of a motion shall have the right to reply to the debate:-
 - (a) at the close of the debate on the motion;
 - (b) at the close of the debate on an amendment to the motion;
 - (c) before a motion to proceed to next business or that the Council adjourn or a motion or amendment to refer the subject of debate to a Committee is put;
 - (d) after the closure is carried.
- (2) The proposer of an amendment shall not have the right of reply to either the debate on the amendment or to the debate on a substantive motion formed by the carrying of the amendment.
- (3) A member exercising a right of reply shall strictly confine himself or herself to answering previous speakers to whom he or she has not already had the opportunity of replying and shall not introduce any new matter.
- (4) After every reply to which this Standing Order applies a decision shall forthwith be taken upon the motion or amendment then under discussion.

STANDING ORDER 22 ***Points of Order***

- (1) A member may rise on a point of order and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he or she considers it has been broken.

- (2) The ruling of the Chairman on a point of order shall not be open to discussion.

STANDING ORDER 23

Points of Personal Explanation or Information for the meeting

- (1) A member may rise on a point of personal explanation or point for information for the Council and shall be heard forthwith.
- (2) A point of personal explanation shall be confined to some material part of the former speech by him or her which may have been misunderstood in the present debate.
- (3) A point of information for the meeting shall be confined to correcting a speaker developing their argument on incorrect facts or figures so as to avoid misleading the meeting.
- (4) The ruling of the Chairman on a point of personal explanation or point of information for the Council shall not be open for discussion.

STANDING ORDER 24

Closure Motions

- (1) **A member may move, without comment, the following motions at the end of a speech of another member:**
 - (a) to proceed to the next business;
 - (b) that the proposition be now put;
 - (c) to adjourn a debate;
 - (d) to adjourn a meeting.
- (2) **If a motion to proceed to the next business is seconded and the Chairman thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.**
- (3) **If a motion that the proposition be now put is seconded and the Chairman thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed they will give the mover of the original motion a right of reply before putting their motion to the vote.**
- (4) **If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.**

Unless otherwise proposed, the matter will be adjourned to the next ordinary meeting of the Council.

STANDING ORDER 25

Voting

Majority vote

- (1) Unless this Constitution or the law provides otherwise, any matter will be decided by a majority of those Members present and voting thereon at the meeting at the time the matter is put.**
- (2) Every proposition shall, unless otherwise required by these Standing Orders or Statute, be determined by show of hands or, at the discretion of the Chairman, by voices, or, if there is no dissent, by the affirmation of the meeting.
- (3) If an automatic system of recording votes is in operation, the Chairman shall have power to order votes to be given and counted in accordance with the system.
- (4) In taking the votes on any proposition, those members only shall be entitled to vote who are present in the Council Chamber when the proposition is put from the Chairman.

Chairman's casting vote

- (5) If there is an equal number of votes for and against a proposition, the Chairman will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.**

Ballots

- (6) A vote will take place by ballot if required by these Standing Orders or at the Chairman's discretion. A ballot will be conducted by the Chief Executive whose return will be final and conclusive. The Chairman will announce the numerical result of the ballot immediately the result is known.**

Recording of Votes

The Budget

- (7) A vote on any proposition at a budget meeting which relates to the calculation of or the issuing of the precept shall be recorded in the minutes of the meeting so as to show whether each member present gave his or her vote for or against the proposition or abstained from voting.

Request for a recorded vote

- (8) After a proposition is put from the Chairman but before the vote is taken, any five members rising in their places may require that the voting shall be recorded in the minutes of the meeting so as to show whether each member present gave his or her vote for or against that proposition or abstained from voting.

Right to require individual vote be recorded

- (9) Where immediately after a vote is taken any member so requires, there shall be recorded in the minutes of the proceedings of that meeting whether that person cast his or her vote for the question or against the question or whether he or she abstained from voting.

Voting on appointments (Except at the Annual Meeting)

- (10) **Except for appointments made at the Annual Meeting (Standing Order 26),** every candidate nominated to represent the Council in any capacity or for any position to be filled by the Council must be openly proposed and seconded.
- (11) At the close of nominations the Chairman will state the names of the candidates duly proposed and seconded and the number of vacancies to be filled if the number is limited.
- (12) If the number of nominations do not exceed the number of vacancies or the number of vacancies is not limited the Chairman will immediately put the appointments (collectively or otherwise) to the vote. No amendment may be moved on such a motion.
- (13) If the number of nominations exceeds the number of vacancies there shall be a ballot of the members present at the meeting in which each member of the Council may vote for as many candidates as there are vacancies to be filled.
- (14) No candidate shall be appointed unless the number of votes cast in his or her favour exceeds half the number of persons voting.
- (15) **If in any ballot there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.**

STANDING ORDER 26

Appointments at the Annual Meeting of the Council

At the Annual Meeting of the Council the procedure for the appointment of the Leader, Cabinet Support Members and those members of the Commission and of the boards and committees who are to be appointed

by the Council shall be as set out below, and Standing Orders 10 (Notices of Motion), 11 (Motions and amendments which may be moved without notice), 12 (Notice of amendments) and 25(10) – (15) (Voting on appointments) shall not apply for the purpose of such appointments:-

- (a) The Chairman of the Council shall invite proposals, each of which shall be in the form of a list of candidates nominated for all the vacancies to be filled; it shall not be in order to propose a list of nominations which does not deal with all the appointments which are to be made at the meeting.
- (b) No amendment may be moved in respect of any list of nominations.
- (c) The Chairman shall then put to the Council for decision the lists of nominations proposed and seconded. Each member shall have one vote only to be cast in favour of one list of nominations.
- (d) If there is more than one list of nominations there shall be a series of votes. After each vote, the list which has attracted the least number of votes shall be struck out and a further vote taken, and so on until one list receives a majority of the members of the Council present and voting.
- (e) The Chairman shall declare appointed those members named in the list of nominations which attract the majority of votes.

STANDING ORDER 27 ***General disturbances***

- (1) If a member of the public interrupts the proceedings at any meeting the Chairman shall warn him or her. If he or she continues the interruption the Chairman shall order his or her removal from the room. In case of general disturbance in any part of the room open to the public the Chairman shall order that part to be cleared.
- (3) If, in the opinion of the Chairman, misconduct or obstruction renders the due and orderly dispatch of business impossible, the Chairman, in addition to any other power vested in him or her, may without the question being put suspend the meeting for a period not exceeding 30 minutes.

Section 2 – Executive, Commission, boards and Committee Procedure Rules

STANDING ORDER 28 *Application of Council Procedure Rules*

In addition to those Standing Orders set out in this Section, the following Council Procedure Rules set out in Section 1 above shall apply with any necessary modification, to meetings of the Executive, Commission, boards and committees:

- 2(4) – (7) (Chairman and Vice Chairman)
- 3(2) (Quorum)
- 5 (Variation to the Order of Business)
- 6 (Minutes)
- 11 (Motions and Amendments which may be moved without notice)
- 13 (Motions which may be moved during debate)
- 15 (Amendments to motions)
- 16 (Alterations or withdrawal of motions or amendments)
- 17 (Right to require motion in writing)
- 18 (Motions or questions affecting persons employed by the Council)
- 19 (Proposing and seconding motions and amendments)
- 21 (Right of reply)
- 22 (Points of Order)
- 23 (Points of Personal Explanation or Information for the meeting)
- 24 (Closure Motions)
- 25 (Voting)
- 27 (General disturbances)

[Note: Notices of motion are not permitted at meetings of the Commission, boards or committees. Reference to 'motions' at meetings of the Commission, board or committees will mean 'recommendations'.]

STANDING ORDER 29 *Chairman and Deputy Chairman*

Executive

- (1) The Leader shall be appointed by Council and shall hold office in accordance with Article 7 of this Constitution. The Leader and Deputy Leader shall *ex-officio* respectively act as the chairman and deputy chairman of the Executive.

Commission, committees and boards

- (2) The Leader of the numerically largest opposition party shall be the Leader of the Opposition and shall *ex-efficio* act as the chairman of the Commission in accordance with Article 6 of this Constitution. The

deputy chairman of the Commission will be appointed by the Commission from amongst its members.

- (4) The chairmen of the scrutiny committees will be appointed by Council in accordance with Rule 6 of the Overview and Scrutiny Procedure Rules (Part 4E). The deputy chairmen of these committees shall be appointed by each committee from amongst its members.**
- (4) Except where otherwise agreed by the Council, each board or committee shall appoint its chairman and deputy chairman from amongst its members.
- (5) The deputy chairman of the Commission and the chairman and deputy chairman of a board or committee shall hold office until:
 - (a) he or she resigns;
 - (b) he or she is suspended by the Group (although he or she may resume office at the end of the period of suspension);
 - (c) he or she is no longer a county councillor;
 - (d) he or she is removed from office by the appointing body; or
 - (e) the meeting of the appointing body next following the Annual Meeting of the Council after his or her appointment.
- (6) The appointment of the deputy chairman of the Commission and the chairman and deputy chairman of a board or committee shall be conducted in the same way as an appointment is required to be made by the Council under Standing Order 25 (Voting).

STANDING ORDER 30 ***Meetings***

Executive

- (1) The Leader will decide upon the schedule of meetings of the Executive in accordance with the Executive Procedure Rules (Part 4D).**

Commission, boards or committees

- (2) The time and place of all meetings of the Commission, boards or committees for each year will be determined on an annual basis by the Chief Executive.**

Special meetings

- (3) The Leader (or in their absence, the Deputy Leader) may call a special meeting of the Cabinet at any time.**

- (4) The Leader of the Opposition as chairman of the Commission, or the chairman of a board or a committee or the Chairman of the Council may cause a special meeting of the body concerned to be called at any time. In the absence of the chairman of the body concerned the deputy chairman may exercise the powers conferred on the chairman by this Standing Order.
- (5) A special meeting of the Executive, the Commission, a board or a committee or subcommittee shall be called on the request of at least one quarter of the whole number of members of the body concerned by notice in writing signed by them and given to the Chief Executive and specifying the business for which the meeting is to be called.

STANDING ORDER 31
Proceedings at meetings

Quorum

- (1) The quorum of the Executive, Commission, board or committee, unless a special quorum is otherwise prescribed, shall be at least one quarter of the whole number of the body concerned, provided that in no case shall a quorum be less than three members.

Substitute Members

- (2) **Except as prohibited by law or a bodies specific Terms of Reference, substitute members may attend meetings of the Commission, boards or committees.**
- (3) **Substitute members will have all the powers and duties of any ordinary member of the Commission, board or committee when attending a meeting.**
- (4) **Substitute members may attend meetings in that capacity:**
 - (a) **To take the place of the ordinary member for whom they are the designated substitute;**
 - (b) **Where the ordinary member will be absent for the whole of the meeting; and**
 - (c) **After notifying the Chief Executive by 5pm the day before the relevant meeting.**
- (5) **Any substitution properly made will be announced at the beginning of the meeting, and the original member for whom the substitution is taking place cannot resume membership of the Commission, board or committee until after the conclusion of the meeting for which substitution has occurred.**

Urgent Business

- (6) **Business cannot be dealt with at a meeting of the Executive, Commission, boards or committees unless it is included on the agenda or unless the chairman has agreed that it is urgent and cannot wait until the next meeting. The chairman must give the reasons for urgency, which must be recorded in the minutes for the meeting.**

Items requested by a political group

- (7) In relation to meetings of the Commission and other scrutiny committees, a political group may give notice in writing to the Chief Executive delivered at least eight clear days before the next meeting that they wish the item of business specified in the notice to be included in the agenda for consideration at that meeting. Such notice shall include an explanation of the reasons underlying the request and the purpose to be achieved.
- (8) **A political group raising an item under this Standing Order will be precluded from raising the matter again for a period of six months from the date it is considered by the Commission or committee concerned unless there has been a material change in circumstances.**

Attendance required by others

- (9) **In relation to meetings of the Executive, Executive members may require a chief officer to attend a meeting to provide information or answers questions, and it is the duty of those officers to attend if so required.**
- (10) In relation to meetings of the Commission, boards and committees the body concerned may, by resolution, require a relevant member of the Executive or chief officer to attend a meeting to provide information or answer questions and it is the duty of those persons to attend if so required.

[Note: Further rules regarding the attendance of others at meetings of the Commission and other scrutiny committees are set out in the Overview and Scrutiny Procedure Rules (Part 4E)]

Observing and speaking at meetings

- (11) Any Council member may attend as an observer at decision-making meetings of the Executive, including meetings or items of business from which the public has been excluded. If given permission by the chairman of the meeting, a member attending as an observer may speak (but not vote) on any matter.

- (12) Any Council member may attend as an observer at meetings of the Commission, boards or committees, except those meetings which the County Council may from time to time determine for the purposes of this Standing Order (see note below), including meetings or items of business from which the public has been excluded. If given permission by the chairman of the meeting, a member attending as an observer may speak (but not vote) on any matter.

Confidential information

- (13) Subject to the provisions of Section 100 of the Local Government Act 1972, all reports and all documents marked as "confidential" or "not for publication" shall be treated as confidential until they become public in the ordinary course of the Council's business.

Subcommittees

- (14) No act of a subcommittee shall have effect until approved by the appointing board or committee except to the extent that the board or committee has itself power to act without the approval of the Council and the power so to act has been conferred upon the subcommittee.

[Note: The County Council has determined the following meetings for the purposes of paragraph (5) above:

*Adoption Panel;
Appointment Committee (Chief Officer);
Approval of Premises Panel (Civil Marriages);
Complaints Panel (School Curriculum and Religious Education);
County Council Employment Panel;
Disputes Panel;
Fostering Panel;
Guardianship Panel;
Member Conduct Panel;
Representations Panel (Independent providers of adult social care)]*

STANDING ORDER 32

Questions

[Note: This Standing Order does not apply to meetings of the Executive.]

Questions from Members

- (1) At ordinary meetings of the Commission, boards or committees, any member of the Council may ask the chairman of that body questions on any matter in relation to which the body concerned has delegated or advisory functions. The time for dealing with such questions will immediately follow the item on the agenda for answering questions from electors.

- (2) Any question submitted under paragraph (1) shall be submitted in writing to the Chief Executive not less than five clear days **(including weekends and bank holidays)** before the meeting at which the member proposes to ask the question.
- (3) The chairman of the meeting may allow the asking of a question which has not been submitted as required by paragraph (1) above, if he or she considers that it relates to urgent business. The text of any such question shall, if possible, be delivered to the Chief Executive not later than 10.00 a.m. on the day before the meeting at which the question is to be asked.

Questions from electors

- (4) At any ordinary meeting of the Commission, boards or committees to which the press and public are admitted, any elector registered within the County may, subject to this Standing Order, ask the chairman of that body any question on any matter in relation to which it has powers and duties.
- (5) Any question submitted under paragraph (4) shall be submitted in writing to the Chief Executive not less than five clear days **(including weekends and bank holidays)** before the meeting at which the member or elector proposes to ask the question.

Scope of questions

- (6) The Chief Executive may decline to accept a proposed question if in his or her opinion it is:
 - (a) not relevant to the functions of the body concerned;
 - (b) is offensive, frivolous, defamatory, vexatious or unlawful;
 - (c) is substantially similar to a question which has been put at a meeting in the past six months; or
 - (d) requires the disclosure of confidential or exempt information;
 - (e) considered by the chairman to be inappropriate for the particular meeting.
- (7) **Where a question is declined, the questioner will be advised of the reasons for that. Time permitting, the questioner will be given an opportunity to submit an amended question that will be considered afresh. For the avoidance of doubt, questions amended in this way must be delivered within the timescale referred to in paragraph 13.3 above**

Putting and answering questions

- (8) Questions shall be put and answered in the order in which they were received and accepted by the Chief Executive.

- (9) The period allowed for the putting and answering of questions shall be ten minutes, commencing immediately following the confirmation of the minutes of the previous meeting, but it shall be open to any member of the body concerned to move an extension of this period should there be questions remaining unanswered. Such a motion shall be moved and seconded formally and be put without discussion.

Supplementary questions

- (10) After a question has been replied to, the elector who asked it may, if they are present at the meeting, ask one supplementary question for the purpose of clarifying the reply which has been given. An elector asking such a supplementary question shall comply with paragraph (3) above and confine himself or herself to the substance of the original question, and shall not introduce any new matter which did not fall within the scope of his or her original question. If the chairman of the meeting is of the opinion that the supplementary question is out of order, or of a personal character, or in the interests of the Council it is undesirable, he or she shall so inform the elector and shall not allow the question to be put. In paragraphs (11) – (14) of this Standing Order, the word "question" shall include such a supplementary question.

No discussion or decisions

- (11) Questions and supplementary questions and replies thereto shall be put and answered without discussion.
- (12) **No decision can be made arising from a question except that** a member of the body concerned may propose that the subject matter of the question be placed on the agenda of the next ordinary meeting of the body concerned. Such a motion shall be moved and seconded formally and be put without discussion.

Record of questions

- (13) **Questions asked under this Procedure Rule will be recorded in the minutes of the meeting.**
- (14) **The Chief Executive will supply the questioner with a copy of the replies to their questions as soon as reasonably practicable after the meeting.**

STANDING ORDER 33

Petitions

[Note: This Standing Order should be considered alongside the Petitions Scheme set out in Part 10 of the Council's Constitution.]

- (1) Petitions may be presented at meetings of the Commission, a board or committee, **but not the Executive**, in accordance with the conditions

set out in the Petitions Scheme at Part 10 of this Constitution.

- (2) The Commission, board or committee shall receive only such petitions as have been lodged with the Chief Executive eight clear days before the meeting and are presented by a person who resides, studies or works in the County and/or is a recipient of County Council services and is associated with the petition. Petitions can also be presented by an elected member on behalf of such a person or can be considered in their absence. This Standing Order shall not apply to meetings of the Council or the Executive, subject to paragraphs (5) and (6) below.
- (3) Every petition shall be couched in proper language and be relevant to some question over which the Council or the Commission or board or committee concerned have authority, or which otherwise affects the County and shall involve a call for action. Signatories should record their name, address (and email address for electronic petitions) and date they signed the petition, and any residential, work or study addresses. The Chief Executive shall have the right to refuse to accept any petition which is considered to be frivolous, vexatious, discriminatory or otherwise inappropriate.
- (4) If the petitioner is present and wishes to do so, he or she may speak but only to the extent of formally repeating the wording of the petition and stating the number of signatories to it. The Commission, board or committee shall then debate the question raised by the petition at that meeting.
- (5) Nothing in this Standing Order will prevent a petition being presented elsewhere provided that it relates to a matter which is already before the body concerned.
- (6) Where a petition attracts significant support from the local community, defined as being signed by at least 10,000 persons living, working or studying in the Authority's area, it will be considered at a meeting of the full County Council.
- (7) Where a body considering a petition believes that a wider debate can be justified, it may report to a meeting of the full County Council, regardless of the number of signatories to that petition.
- (8) If the petition organiser feels unhappy with the way their petition was handled he/she can request that the Council review the steps taken in response to the petition. The petition organiser should contact Democratic Services and provide an explanation of the reasons why the way the petition has been dealt with is not considered to be adequate. The Council will consider the request and respond accordingly within 10 working days.

Section 3 – Interpretation, amendment and Suspension of Standing Orders

STANDING ORDER 34

Interpretation

The ruling of the Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

STANDING ORDER 35

Variation and revocation

So far as permitted in law, any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council.

STANDING ORDER 36

Suspension

- (1) Subject to paragraph (2) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.
- (2) A motion to suspend any of the preceding Standing Orders shall not be moved without notice unless there shall be present at least one-half of the whole number of the members of the Council.

[end of Meeting Procedure Rules]

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